Alabama

Crime—1934

Prisoners Wreck Birmingham Jail In Futile Wholesale Escape Attempt

BIRMINGHAM, ALA., July 20.—(AP)—A mob of rioting prisoners, shouting their defiance of guards, flooded the main cell block of the county jail here today and virtually wrecked the interior furnishings of the jail in a futile effort to release the 225 inmates.

Yelling and pounding on the concrete floor with iron objects taken from the smashed plumbing, the prisoners held off officers until the entire cell block was covered with water.

When the outbreak was finally curbed, Warden F. L. Erwin ordered 14 men, believed to be ring leaders in the wholesale delivery attempt, placed in solitary confinement "until they decide to behave."

Jail attaches said the outbreak came without warning as the inmates swarmed over water pipes and tore them from their mountings. Others smashed out windows and brandished improvised weapons made of sash weights and pieces of plumbing pipes.

Attendants in the sheriff's office, on a lower floor of the new $3,000,000 Jefferson County Courthouse, dashed to the assistance of the guards at the jail.

After help arrived, guards entered the cell block, singled out those believed to be leaders in the outbreak and ordered others back into their cells.

The main cell block was a mass of wreckage, and, in one spot, a hole had been dug a foot deep into the concrete wall. Prisoners continued their shouting as they were disarmed and locked into their cells while authorities pondered punishment.

Warden Erwin ruled against a suggestion of a bread and water diet for the ringleaders, but said the chief troublemakers would be deprived of exercise periods and other privileges "until further notice," besides being kept in solitary confinement.

Authorities believe the outbreak had been planned for days. They said the prisoners expected guards to rush into the cell block at the first hint of a disturbance. In this case the prisoners could have seized the weapons and taken command of the entire floor before other officers arrived.

The five negro defendants in the Scottsboro case, held here for safekeeping pending their trials at Decatur, Ala. were not involved in today's rioting. They have been in solitary confinement for several months after engaging in fights with other prisoners.

MRS. SLAYTON DENIES HIRED KILLER STORY

Woman, Mysteriously Shot, Defends Her Husband From Boy's Charge

LEAVES HOSPITAL BED

Victim Refuses To Return To Bush Hills; Divorce Move Disclaimed

Mrs. Frank Slayton, who was wounded as she slept beside her husband in their Bush Hills home last Saturday, today joined her husband in denying a story told by their negro chore boy to the effect that Mr. Slayton paid him to shoot his wife.

Mrs. Slayton was released from West End Baptist hospital yesterday, where she had been undergoing treatment for wounds in the chest and head. She was taken to the home of friends, Mr. and Mrs. C. J. Thompson, 4321 Fifth Ave., Wylam, where the three Slayton children have been since the shooting took place.

Mrs. Slayton refused to go back to their home at 1426 Fourth Ave., Bush Hills.

"I don't want to go back there," she said. "Before the shooting took place, there had been attempts made to break in the house."

Has Faith In Husband

Mrs. Slayton declared she has complete faith in her husband.

Mr. Slayton appealed to his friends to have faith in him "until the full development of the facts prove me innocent."

Detective Chief G. C. Giles had a transcript taken last night of the testimony of the various witnesses in the case and turned it over to the solicitor's office for their advice as to further procedure.

A woman sought by police as a member of a purported triangle had not been arrested early this afternoon. Police are closely guarding her identity and whereabouts.

Mr. Slayton, a Birmingham postman, denied a story told police by his uncle, G. T. Neilson, of Tuscaloosa, to the effect that he had tried to get Mrs. Slayton to divorce him.

"Mr. Neilson has been in the state institutions for the feeble-minded at Tuscaloosa, and records show he escaped from there," Mr. Slayton said.

Negro's Story Unchanged

Mr. Slayton's statement was verified from the records at the Tuscaloosa institution, which showed that Mr. Neilson was there from 1916 to 1918.

The negro, Joe Percy Bragg, 18, continued to hold to his story that Slayton paid him $48 to do the shooting and promised him larger sum later.

Slayton admitted that he borrowed $10 from Fred Plan, grocer at 1426 Fourth Ave., Bush Hills, on the afternoon before the shooting. He said Bragg knew about it because, when the negro came past the Slayton home and asked for the loan of a dollar, Slayton refused with the explanation that he himself had been forced to borrow from the grocer.

Wife Uninsured

An examination of French doors opening onto the back porch at the house showed today that they could be easily opened with a screw driver, fingernail file or any such instrument. Bragg previously had accused Slayton of leaving the doors unlocked for his entry.

Slayton denied that his wife had any insurance or held any property in her own name. The negro declared Slayton promised him $1,000 in insurance money if he would [illegible] Slayton.

Negro Is Arrested For Shooting Butler Deputy

GREENVILLE, ALA., Nov. 16.—(Special)—Lucien Presley, 30-year-old negro, was in the Butler County jail here today charged with the shooting of Deputy Sheriff Ed McCrory during a still raid near Garland Thursday afternoon. Presley was arrested by deputies at the home of relatives not far from the scene of the shooting.

Deputy McCrory was shot once in the forehead and doctors said he would recover. The pistol bullet entered the first layer of bone but did not penetrate the brain, an examination revealed. Officers said that the gun used by the man who shot the deputy probably was defective or the cartridge was less than half full of powder.

NEGRO MAN JAILED IN STREET ROBBERY

Victim Identifies Suspect In $2.75 Holdup

Less than two hours after J. D. Ellis, 1113 Cullom St., s., was held up and robbed of $2.75, Evins Jasper, 20, negro, was caught and lodged in Southside jail, charged with the crime.

The negro was identified by Ellis and his two companions, according to Officers J. H. McFarland and S. M. Harbuck. Ellis said he was held up at the point of a pistol as he was walking along 14th St. and Sixth Ave., s., shortly before 4 a.m. today.

Officers F. S. Salser and R. B. Tucker are seeking to link the negro with other recent holdups in the city.

NEGRO SHOOTS TWO OFFICERS IN GUN FIGHT

Railroad Theft Suspect Is Seriously Wounded In Pitched Battle

VICTIMS WILL RECOVER

Prisoner Drew Gun When Captors Search Him

After Arrest

A hand-to-hand pistol battle between two railroad agents and a Negro suspect they were searching last night at 14th-st and Railroad-av left all three participants in hospitals today with gunshot wounds.

Sergeant J. Earl Jones and P. K. Tait, special agents for the Southern Railway, each wounded one time, were reported recovering today in St. Vincent's Hospital. Tait, the most seriously wounded, was shot in the right shoulder. A bullet struck Jones in the left leg. The special officers both fired on the Negro, shooting him in the shoulder and leg. He was reported in a serious condition today in Hillman Hospital.

Detectives N. C. Propst and F. J. Smith, who questioned the suspect, said he told them he was Carl Peterson, and returned to Birmingham two months ago after a parole from the state prison in Columbus, Ohio. He said he had served six years of a 10-year term for attempted robbery.

Trio Arrested

Peterson and two other Negroes were arrested by the agents at Sixth-st and Railroad-av, where they said the trio was tearing lumber from a freight car.

Sergeant Jones said he and Officer Tait had begun to search the Negroes, when Peterson suddenly whirled around, pistol in hand.

"The two of us reached for our guns but he shot Tait in the shoulder before he could do anything. He turned on me and we shot at each other at about the same time. He hit me in the leg and then turned around and started across the railroad tracks.

Shot While Running

"I sank a little, but kept my balance and shot at him after he had run about 15 feet. It got him and he went down, but he raised his head up and began firing at me again. He nipped both my hands and I fired at him until my gun went empty."

The other prisoners, A. Jackson, who said he was a brother-in-law of Peterson, and Charlie Duncan, 240 Fourth-pl, n, did not take part in the battle, the agents said. They were lodged in City Jail as material witnesses.

Attracted to the scene by the pistol shots, W. M. Dodd, special agent for the Louisville & Nashville Railroad, held the prisoners while S. J. Brantley, towerman, summoned police.

Peterson was ordered held at Hillman Hospital on two counts of assault with intent to murder. He said he lived with Jackson at 1026 Fourth-av s.

NEGRO SUSPECTS JAILED IN BUSH HILLS SHOOTING

Police Claim Confession From Man Accused Of Wounding Mrs. Jewell Slayton While She Slept Beside Husband

EXPERT IDENTIFIES WEAPON USED

Additional Arrests Are Expected To Be Made As Detectives Press Probe; Woman Is Reported Recovering In Hospital

The mysterious shooting of Mrs. Jewell Slayton, 29, who received two pistol wounds as she was sleeping with her husband, a Birmingham postman, in their home in Bush Hills early Saturday, was partially solved today with the arrest of two negroes, one of whom is said by police to have confessed to firing the shots.

Joe Percy Bragg, negro, 3534 11th Ave., Wylam, confessed in Southside jail this morning that he fired the pistol, Detective Chief G. C. Giles stated.

Scott Hudson, the second negro, of 228 Hudson St., is held as the driver of the car which took Bragg to the Slayton home Saturday morning.

Bragg, according to Chief Giles, has been employed on odd jobs for the past several months by Frank Slayton, husband of the wounded woman.

Jack Stuart, assistant solicitor and ballistics expert, examined the bullets which entered Mrs. Slayton's head and chest and declared they were fired from Slayton's pistol which he kept at the head of his bed.

Husband Released

Slayton was arrested Saturday but was released after several hours detention.

Chief Giles said that an arrest additional to that of the two negroes is expected in the near future.

Mrs. Slayton, mother of three young children, is reported recovering in West End Baptist hospital.

She has declared she does not believe her husband was involved in the crime.

Gun Is Identified

Bragg and Hudson were arrested by Detectives W. E. DeGroat, H. H. Weir, F. J. Smith and Charles Norrell.

Police said that Slayton's pistol appeared to have been fired twice when they found it on the Slayton bed. Ballistics expert said the rifling marks on the bullets showed conclusively the shots had been fired from Slayton's gun.

PLOT TO KILL WIFE DENIED BY SLAYTON

Negro's Story He Was Hired By Husband Declared False

WOMAN SOUGHT

Postman Asks Friends To Believe In His Innocence

Frank Slayton, 34-year-old Birmingham postman, today entered a sweeping denial of a story told police by the Slaytons' negro houseboy that the negro shot Mrs. Slayton Saturday because he was paid $48 to do so by the husband.

"There is nothing whatever to the negro's story and I want to ask my friends to believe me innocent of any such crime," Slayton said.

Slayton was questioned by police Saturday morning but was later released. The negro was arrested and told his story to police Sunday.

Slayton, who carries a postal route on the Southside, has a perfect record of nine years and four months' service with the Birmingham postoffice, Postmaster W Cooper Green said.

The negro, Joe Percy Bragg, 18, 5534 11th Ave., Wylam, told police that Slayton gave him the money to buy the pistol with which Mrs. Slayton was shot and offered him an additional sum from insurance money, to be paid when Mrs. Slayton was dead.

Police Seeking Girl

Slayton denied the negro boy's story to the effect that he had carried the Slayton car on several occasions to a salesgirl with whom Slayton admits his acquaintance but with whom he denies any intimacy.

Police were searching for the girl today, but have been informed she is in Florida.

Police, meanwhile, were in conference at headquarters with a Tuscaloosa tourist camp proprietor, who said he has important evidence bearing on the case.

Officers R. B. Tucker and F. S. Salser went to Tuscaloosa this morning and returned early this afternoon with a man who was taken at once into the office of Chief of Detectives G. C. Giles.

Mr. Slayton visited his wife in West End hospital twice today and told her when he left that he was going to the downtown office of an attorney.

Slayton, it was learned, has employed Horace C. Wilkinson as his attorney. Mr. Wilkinson said that he was retained by Slayton and his friends in the Birmingham postoffice.

Story Checked

Chief Giles said every angle of the negro's story that they have been able to check has been proved.

The negro, Joe Percy Bragg, 18, 5534 11th Ave., Wylam, told the officers that he was paid $48 in advance to do the shooting, and promised an additional $1,000 of insurance money.

He told officers the man who paid him the money in advance, last Friday afternoon, went to a grocery store to borrow $10 needed to finish out the amount specified. Officers went to the grocery store and were told that the man the negro named borrowed the $10 at the time the negro said.

The grocer is Fred Plan, whose store is located at 1426 Fourth Ave., S.

Scott Hudson, negro, who admits he drove Bragg to the Slayton home early Saturday morning, is believed by police not to have had knowledge of plans for the shooting. Hudson lives at 228 Hudson St.

"I know Frank could never have had anything to do with anything like that" she said. "Why, we've never even had a quarrel of any consequence."

Mrs. Slayton, wounded twice, in the head and chest, is well on the road to recovery, hospital attaches state.

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Alabama

Albany-Decatur, Ala. Daily
January 15, 1934

SUSPECTS HELD IN ATHENS BURGLARY

Large Quantity of the Loot Taken From Rochelle Store

Two negroes are being held in city jail for questioning in connection with the burglary Saturday night of the J. G. Rochelle store at Athens. One of the men was picked up at Athens by Police Chief Carl T. Wilson and the second was taken into custody here by local officers.

Chief Wilson and Mr. Rochelle came to Decatur this morning with the prisoner in custody and the men were questioned by both Decatur police and the Athens officer. Practically all of the missing articles were recovered by Decatur officers.

Entrance was made to the Rochelle store by breaking a transom from a rear window. Loot valued at several hundred dollars was taken, the articles including overcoats, silk hosiery, suits, dresses and four suitcases.

Mr. Rochelle stated large quantities of merchandise were left strewn about the floor of the store.

Miller Pardons 19 Desiring To Vote

Advertiser

Pardons with the restoration of all civil and political rights, were granted yesterday by Gov. Miller to 19 petitioners, all of whom had previously been paroled by the Chief Executive, with the exception of several who were found guilty of violating Federal laws. A number of the petitioners had expressed their desire to receive restoration of their rights, so that by payment of back poll tax they would be able to vote in the elections this year.

The names of those pardoned, the county in which they resided at the time they were convicted and the offense each was convicted of, follow:

Collin Carlisle, Choctaw, murder, second degree. Peter L. Brown, Mobile, embezzlement. John Henry Kent, Chambers, grand larceny. Harley Pruitt, Etowah, violating prohibition law. Dewey Burleson, Walker, statutory offense. Dodson Wheat, Tuscaloosa, manslaughter first degree. Henley Palmer, Bibb, distilling. D. L. Jemison, Mobile, violating national prohibition law. Lawrence Fincher, Mobile, transporting liquor.

Ed Stokeley, Mobile, assault to rob. Henry Day and Andy Carnley, Covington, violating prohibition law. Beach A. Bruner, Houston, violating Federal law. V. C. Bruner, Houston, violating Federal law. Heflin Gunn, Chambers, murder, first degree. Joel Colley, Blount, murder second degree. Jack Johnson, Winston, possessing a still. Arnie Dykes, Mobile, violating prohibition law. Jim J. Helton, Clarke, attempt to murder and distilling.

ALABAMA SENDS FIVE TO DEATHS

Telegraph

Electrocution of Quintet at Kilby Prison Is Grim End of as Many Murder Cases

2-9-34

MONTGOMERY, Ala., Feb. 9. (Friday) Going to their deaths at seven minute intervals, five Negroes, all charged with murder, were electrocuted at Kilby prison, the state penitentiary here, early today.

Macon, Ga.

MONTGOMERY, Ala., Feb. 8 (AP) Five Alabama Negroes, three from the Black Belt and two from the Gulf, paced their cells in condemned row at Kilby prison late today counting the minutes until the hour of midnight when they start their short walk to the electric chair.

They were Bennie Foster, Solomon Roper and Ernest Waller of Dallas county and John Thompson and Hardie White of Mobile. Back of their death sentences were the members of a merchant, street car conductor, filling station operator, farmer and "a cheatin' Negro woman."

Telegraph

All but Waller denied their guilt and he told Warden George P. Walls today that Daisy Montgomery, the Negro woman he shot and killed "wasn't nothing but a cheatin' Negro woman, and she shore wasn't worth hanging me about."

Fried Fish for Dinner

Their last dinner was a Negro's feast of fried fish, fried chicken and all the trimmings, topped off with a huge slice of cake—their own order from the prison kitchen.

They won't want much supper tonight, Warden Walls said, condemned men seldom do.

Most of the day they spent "making peace with de Lawd" as a Negro minister read steadily from the Bible—the same Negro minister whose sonorous voice will ring out the refrain of Swing Low, Sweet Chariot as they walk to the electric chair shortly after midnight.

Few Witnesses Permitted

The customary crowd that witnesses Alabama executions will be missing for prison authorities have announced that only those permitted by state laws—prison officials, two physicians, a spiritual adviser, newspapermen and not more than five relatives or friends of the condemned—will be present.

Bennie Foster of Selma, was convicted of killing Clarence McCain, aged filling station operator with a blow from a hammer as McClain, turned his back to get Bennie a plug of tobacco.

Solomon Roper was convicted of killing Page Brazier, farmer, with an axe during a quarrel over $6. Mobile county juries found John Thompson guilty of killing Henry Bloom, merchant, and Hardie White guilty of shooting and killing Luther Williams, street car conductor, when he failed to hand over his coin container during a robbery of the street car.

EXECUTION AND CRIME

In The Birmingham Age-Herald we find two editorial articles, one expressing the personal views of John Temple Graves, II, and the other expressing the views of the editor. Both articles deal with the recent execution of five Negro murderers at Kilby Prison. And, or so it appears to us, each article expresses different points of view.

Advertiser

We quote first the views of The Age-Herald's editor as expressed on the editorial page:

2-11-34

The "mass execution" at Kilby Prison Friday morning was something to stir a reporter's soul to ecstasy, but let us hope that it will never be repeated in this State. The authorities are to be commended for doing their level best to keep sensation-seekers out of the death chamber, yet we read that the son of a victim of one of the murderers was in the group of onlookers. This is too close an approach to private vengeance to be relished by civilized persons.

Montgomery, Ala.

It was sheer coincidence that all of these executions were separately set for the same time. But it is to be observed that two of the prisoners came from Mobile, and it is to be assumed that the Supreme Court which dealt with these cases on appeal could have arranged a different program. When the question of distributing the executions went to the governor and the Pardon Board, matters had crystallized so that the solution of having the men electrocuted at stated intervals was almost as objectionable as the wholesale plan.

The Age-Herald is of the opinion that a little more thought and a little more system might have availed to prevent this accumulation of horror. It is not easy to fix upon the reason for one's repulsion toward execution en masse, particularly since the condemned men had been found guilty of atrocities for which no excuse can be offered. Yet the mere fact that five Negroes went to their doom at seven-minute intervals is somehow abhorrent to the sensitive mind.

Meanwhile, it is well for Alabamians to know that this event has attracted unfavorable attention outside the State. This is to be regretted, not because we wish to be controlled by opinion elsewhere, but because criticism in this instance is merely an echo of our sober reaction. Surely there is enough ingenuity among us to make another "mass execution" improbable. If legislation is needed for the purpose, it should be enacted. We have enough real problems to face. We should not invite perplexities.

Mr. Graves, whose daily column appears on the first page of the Birmingham newspaper, believes that more publicity should be given executions. But let him tell it. He says in full:

Nearly all of Alabama's newspapers gave first page to the electrocution of five Negro murderers at Kilby Prison Friday morning. In the modern and better conception of the thing, the State did not take the lives of these Negroes merely to punish them for their murders. They were electrocuted for two other reasons. One was to prevent them from committing any more murders. The other was to make an example of them which would prevent other people from committing murder. In the interests of the second reason, the electrocutions deserved all the publicity that could possibly (and decently) be given them. To have held them in public would have been indecent, unwise, shocking to every human sensibility, demoralizing. But to have them reported and even intimately described in the newspapers is useful and proper, it seems to us. We would favor even more prominence and description than the newspapers give them.

The words "electrocution," "hanging," "death sentence," etc., have necessarily been used so often that they have lost some of their force over public imagination. Insofar as public example is one of the principle reasons for the death penalty, such words are not enough in newspaper descriptions. There should be other words to indicate the finality, horror and awfulness of the thing, the physical reactions and manifestations, the facial expressions, the fear, or the fearful stupor. Words which may pity the condemned men and dramatize their fate, but which take care never to make heroes of them.

The Advertiser agrees with both Mr.

NEGRO CHOKES WOMAN, SNATCHES HER PURSE

Victim Slightly Injured In Bold Street Attack

Post

Police were searching today for a Negro who last night seized Mrs. Ada Gallaford, 1044 10th-av, s, by the throat and took her purse. The theft took place at 20th-st and Ninth-av.

1-3-1-34

Mrs. Gallaford suffered minor scratches. She told Birmingham detectives R. G. Shirley and J. O. Bevan that the purse contained 35 cents in change.

Graves and The Age-Herald's editor that the lay public should be spared the horrible show of public electrocutions and hangings. Public executions have been tried. It must be remembered that they did not have the desirable effect on the criminal mind that some present-day advocates of public hangings argue.

It must be remembered, too, that the decent, law-abiding people must be considered before the criminal. The decent minds outnumber by far potentially criminal minds.

Even if public executions should be as effective as many seem to believe they would be—when tried again, there should still be the question: Does the result justify the horrible means, does the good effect on criminal minds justify the bad effect on sensitive minds?

The Advertiser does not believe that the modicum of good accomplished by public legal killings would offset the unwholesome effects they would have on the mass of the people.

In this article we are not considering the condemned man. We prefer to think of him as not a human being, but as a condemned object to be put out of the way for a common good. But we are thinking of the people who must live in a society whose duty it is to condemn and put to death human beings not fit for that society.

To deliberately plan a "mass execution" for a horrible showing, even though designed to thwart crime, would not be in keeping with the "modern and better conception." We should condemn such a procedure.

But it was only coincidence that the execution dates for the five men were set for one and the same night. The Circuit Court judges who sentenced the men (from four different circuit districts) merely happened to sentence their respective prisoners to die on Feb. 8.

It is doubtful that such a number of men will be sentenced to die on the same night again. Such coincidences do not happen often.

The Advertiser would remove any semblance of personal vengeance from executions. It would have condemned men put to death in the most effective manner, with the least possible shock to public good taste.

But this paper is suspicious of extreme plans either to "cure all crime" without regard to a sensitive public, which must live and pursue happiness, or to remove unlovely judicial procedures from the sight of the public, without regard to a lawless element which must be controlled or removed.

Number Of Negroes To Be Executed At Kilby Friday Is Reduced To Five

The original total of nine condemned negroes sentenced to be executed at Kilby Prison Friday dwindled to five yesterday, with commutation to life imprisonment of the death sentence of Teaner Autrey, Monroe County negro woman, by Gov. Miller.

The five who are to go to the chair for first degree murder Friday are Ernest Waller, of Dallas County, convicted of the murder of Daisy Montgomery, in Orrville; Honie White, convicted of murdering and robbing Luther Williams, Mobile Street car conductor; Solomon Roper, convicted in Dallas County of murdering Page Brazier; Bennie Foster of the same county, found guilty of killing and robbing Mr. McCain, filling-station operator; and John Thompson, convicted of murdering Henry Bloom, Mobile merchant.

Louis Cunningham, Mobile negro, convicted and sentenced with Thompson, for the same crime, died in the hospital at Kilby Prison several weeks ago. Leo Fountain, of Perry County, convicted of the murder of Robert Martin to collect an insurance policy, was granted executive clemency, the Governor commuting his sentence to life imprisonment when it developed at a hearing before the Chief Executive and State Board of Pardons that another negro, jointly indicted with Fountain for the murder of Martin and equally guilty, had been sentenced to a prison term.

At the request of a member of the Pardon Board that he be given more time to investigate and consider testimony in the case, Gov. Miller granted a reprieve of 30 days to Fred Kinney, convicted in Perry County of the murder of Jim Phillips. Yesterday the Governor commuted to life imprisonment the death sentence of the Autrey woman.

Waller, White, Roper, Foster, Thompson, Cunningham, Fountain, Kinney and the woman all originally were sentenced to execution Feb. 9.

In his order commuting the sentence of the woman, who was convicted of killing a four and a half-year-old negro girl by pushing her into a tub of boiling water, Gov. Miller recalled that the child had been raised from infancy by the woman after its mother's death, in the house of its father; that they were suffering for food and clothing, as the father did not make sufficient provision for them. The woman was complaining and declaring she was going to leave; and the child also was complaining.

"There was a tub of hot water near which had been prepared to scour the floor," the executive order continued. "Teaner Autrey picked up the child and pushed it—intentionally or accidentally—into the hot water in the tub. No one was present except her and the child. When neighbors came, they found Teaner lying on the floor with the child wrapped up and holding it in her arms. It was dead, badly scalded. Neither the judge nor the solicitor recommended clemency. Each recommended the death penalty. One member of the Board of Pardons recommends life imprisonment, one recommends the death sentence be enforced, and the other was necessarily out of the city at the hearing and did not act on the case.

"The foregoing statement gives the tendency of the testimony as it came to the Governor and Board of Pardons at the hearing of the case. It is my opinion that the application for clemency should be granted; and the punishment fixed at imprisonment in the penitentiary for life instead of death. So let judgment be entered accordingly."

?Clansaid,cel,voaRtto ta

GREENSBORO, N. C.
NEWS

FEB 16 1934

HOW WAS HE TO KNOW?

While execution of five negroes, as fast as the electric chair could receive them, in Alabama state's prison one day last week, may be no special news, *per se*, there is in the quintuple exaction one detail which stands out because of its unusualness.

Four of the negroes paid the supreme penalty for murdering whites, which is understandable enough, but the fifth gave his life for killing another negro. That, although such evaluations do occasionally happen, as witness one in North Carolina recently, unquestionably rates news.

This is in no wise intended as an argument for capital punishment; its purpose is to underscore relative values with which any one who pays the least attention to southern court dockets, literally cluttered with slayings which give the south the highest homicide rate of any section of the country and place Birmingham, Memphis and even our own Charlotte at the top of the list among the nation's cities, is more or less familiar. When a negro takes another negro's life, much less a white man a ditto, that is a comparatively inconsequential matter; a few years in prison suffice.

Hence, there is more or less sympathy with the dying statement of the Alabama black who was executed for slaying a member of his own race. He paid the supreme penalty, the Associated Press reports, for "killing 'a cheating negro woman who shore wasn't worth hanging me about.'" The records, it is feared, will bear out the Alabama victim in his protest. How was he to know, after the light sentences which negro slayings had brought all around him, that the court and twelve white men good and true were going to up and place such an unusual value upon the "cheating negro woman" with whom he made away?

The case, with its denouement in the death chamber, may denote genuine progress in elimination of judicial inequalities. At the same time, though, it is only fair that slayers of negroes should not be surprised, electrocuted out of a clear sky, as was the Alabama murderer, but should be warned that they really and truly may be executed for their crime.

STILL FOUND IN DUMP IS CHARGED TO NEGRO

Negro Caretaker Held For U. S. Grand Jury Frolic

Jim Scott, negro caretaker of the city dumps, was figuratively as well as literally in the dumps today. He has been bound over by U. S. Commissioner Louise Q. Johnson to the grand jury on charges of violating the liquor law.

Federal agents found an 18-inch four-gallon copper still and 100 gallons of beer near the outskirts of the dumps. Scott denied that they were his.

Prisoners' Trust In Technicalities Misplaced Here

Technicalities of all sorts have marked this week's session of Circuit Court, Judge Walter B. Jones presiding for Judge Leon McCord, who is on a speaking tour in the North.

In the case of Frank Stinson, charged with stealing $12 worth of garden tools from the greenhouse of Rosemont Gardens, the attorney for the defendant contended that, because of the phraseology of the indictment following the words of the statute, it would be necessary to prove the tools were taken from a "storehouse," and that a "greenhouse" was not, legally speaking, a "storehouse." Judge Jones promptly ruled against the defendant, holding that a "greenhouse" is not only a place for the care and raising of plants, but that it is also a place where garden tools may be kept and stored.

The jury found Stinson, a negro who had been employed by Rosemont Gardens for seven or eight years, guilty and fixed his fine at $50.

In the case of Charley Reynolds, indicted for the alleged theft of approximately $40 worth of paints and brushes from the Cottage Hill School, it was claimed in the indictment that the paints and brushes were the property of the City of Montgomery, a municipal corporation; but the facts disclosed they belonged to the Board of Education of Montgomery County, a body entirely distinct and separate from the city.

Solicitor Seibels offered to amend the indictment so as to describe the ownership of the property correctly, but the defendant declined to consent to the amendment. Consequently, under the State law, Judge Jones had to quash the indictment. He ordered Reynolds held in $300 bond to await the action of the next Grand Jury.

William Harrison, a negro defendant, charged with burglary and grand larceny, discovered that the Grand Jury had indicted him under the name of William Harris, leaving the "on" off his last name.

Willie's attorney pleaded a misnomer for his client. The State, on investigation, found that the negro's true name was William Harrison and offered to amend the indictment so as to show his correct name.

The defendant's attorney, however, declined to allow the change and Judge Jones following the requirements of the law, quashed the indictment against Willie, and was about to order him held to the Grand Jury in bond in the sum of $300, the amount he was already under, when Lieut. Powell, of the fingerprint department at police headquarters, produced records to show that Willie had been convicted once before, whereupon the judge doubled the amount of the bond and ordered the negro held to the February Grand Jury.

THREE NEGROES HELD FOR ROBBING STORE

Night Policeman At Courtland Captured By Thieves

COURTLAND, Dec. 6.—(Special.)—Three negroes, Harold Black, Cleveland DeLoney and William Vinson, are being held in jail at Moulton on charge of robbing Vaughn's store at Courtland of between $200 and $300 one night last week. The robbers held up the night policeman, bound and gagged him, then carted off the safe, officers say. A fourth Negro is being sought.

Crime-1934

Alabama

5 Negroes Die In Chair At Kilby

All Convicted Of Murder, Prisoners Expiate Crimes In Mass Electrocution

Five negroes, all convicted murderers died in Kilby Prison's electric chair early this morning.

Within 46 minutes, the State of Alabama took the lives of five men, the largest number of persons ever electrocuted on the same day in Alabama.

A large group of officials and newspapermen, most of them from Dallas and Mobile Counties, the home counties of the negroes, witnessed the mass execution. Several relatives of one of the murder victims were present.

Bennie Foster, of Dallas County, who robbed a Selma filling station operator, was the first to die. Several relatives of the filling station operator, a Mr. McCain, including a brother, saw Foster die.

Foster was led into the death cell at 12:04 a.m. today. He was strapped in the wooden chair that is Alabama's lethal instrument and asked by Deputy Warden Joe Partin if he had anything to say.

"I'se just an innocent man going to Glory," Foster said.

The first shock was applied at 12:08. The electricity goes through the condemned man's body for 30 seconds after the switch is thrown, and then automatically trips itself. Usually two shocks are required before the man is dead, and in rare cases, a third one must be administered before the prison physicians pronounce the prisoner in the chair dead.

Foster's second shock was applied at 12:10, and at 12:12 he was pronounced dead.

John Thompson, who killed a Mobile merchant and shot the merchant's wife, was the second to die. He had nothing to say when he was brought into the death chamber at 12:14 and strapped in the chair. The first shock was applied at 12:17, just five minutes after Foster's body had been placed in a box and removed it from the death cell, to be buried at the prison. The second shock was applied at 12:18, and Thompson was pronounced dead at 12:19.

At 12:23 the third man was brought to his death. He was Horie White, who killed a Mobile street-car conductor after robbing him.

"I'm an innocent man", White said and, turning to the Mobile newspapermen who were present, added: "and I want the people of Mobile to know I am innocent."

The first shock was applied to him at 12:26, the second at 12:27, and he was dead at 12:30.

Ernest Waller, of Dallas County, who killed his common-law wife at Orrville last Fall, died next. He was led to the death cell at 12:32, and his only statement, to Deputy Warden Partin, was: "Cap'n, Joe, I'm ready to go."

The first shock was thrown at 12:35, the second at 12:36, and he was pronounced dead at 12:37.

Solomon Roper, a Dallas County negro, who killed another negro, was the last to go. He entered at 12:43 and, like the Thompson negro, refused to make any statement. The first shock was applied at 12:45 and the second at 12:47. The 20-odd witnesses prepared to leave then, but Dr. J. F. Sewell and Dr. T. A. Warren, State physician, said Roper was still alive, and a third shock was administered at 12:49. He was pronounced dead at 12:50.

Thus, in just 46 minutes, the State of Alabama had extracted the supreme penalty from five men who killed their fellows. About a year ago, when three negroes were executed, exactly 60 minutes was required for the triple electrocution.

Woman Reporter Interviews Five Condemned Negroes

By MILDRED SMITH
Advertiser Staff Writer

This is the story of five men. Five men with only 12 hours each to live and what they did with their closing hours. The men were Bennie Foster, Ernest Waller, Honie White, Solomon Roper, and John Thompson, sentenced to die in mass execution Friday just after midnight.

All the men were convicted of murder. The death penalty came by electrocution at Kilby Prison on the Wetumpka Road between midnight and 2 a.m. today.

Four of the convicted group were homicides, one an uxorcide. Ernest Waller was sentenced to die for the slaying of his common-law wife, Daisy Montgomery, in Orrville, last Fall.

"Sho, Ma'am, I'se Guilty"

"Sho, ma'am, I'se guilty," said Ernest. When asked if he felt it just that he should give his life for taking that of Daisy, he replied: "No'm, I don't; 'cause that woman's life wasn't worth as much as mine. Everybody said she wasn't no account at all."

Ernest was a tall, light brown negro, with an enormous flat nose, high cheek bones, and large, melting eyes. His intelligence was above the normal, and he won the friendship of all those with whom he came in contact during his three months at Kilby Prison. Ernest came from a plantation in Dallas County and was the typical tenant negro of the Black Belt in Alabama.

He just had moved from one farm to another when he got in trouble, shooting his wife because of another man. He left instructions for his body to be sent to his people at Orrville, who will claim it this morning. Ernest was only 22. He spent his last 12 hours in prayer.

Dallas Negro Denies Guilt

Bennie Foster, also from Dallas County, spent his last hours praying and protesting that he was innocent. According to Bennie, he went to the chair for a crime committed by another. But upon his arrival at Kilby in November, he had told the turnkey he was guilty. Words sat lightly upon his lips. Nobody but Bennie really knew. He was convicted of robbing and killing a filling station operator in Selma. The victim's throat was cut after he had been beaten in the head.

Bennie was short, brown-skinned, and had a low brow. He was very talkative but not highly intelligent. He was only 21 and had never been in real trouble before though he had been caught in a minor scrape. Bennie was the city type of negro youth, the product of back alleys. His body was to be left at Kilby. His people were too poor to claim it.

Solomon Roper completed the trio from Dallas County. He was short, fat, sleek, and something of a dandy. Even in prison clothes, he was well-groomed, and one almost instinctively looked for the flower in his lapel.

Describes Murder

The crime of which he was convicted, the slaying of one of his own race, Page Brazier, occurred on a farm in Dallas County.

Said Solomon: "Me'n Page was down 'n the woods, splitting cord wood. His wife come down there and accused me of stealing her money. I told her I didn't take the money, but words brought on more words and an argument got started. Page got madder and madder and come on me with a sledge hammer, backing me up against a tree. I was afraid to turn around to run, and I killed him with my ax in self-defense."

Solomon ate three square meals per day from the time he came to Kilby Prison through his last day, and for his last supper he ordered the things he liked most, and ate with gusto as if he enjoyed them. Solomon's kinpeople from Lowndes County, where he was raised came to see him on his last days. They will claim his body this morning and take it to Fort Deposit for burial. Like Ernest Waller, he was only 22.

One Man Fasted

Horie White was admitted to the death cell on New Year's day. He was brought from Mobile, where he was tried and convicted of the robbing and killing of Luther Williams, a street car motorman. Horie fasted three days out of every week from the time he came to Kilby, and he did not order supper last night. He fasted because his Lord fasted, and he was satisfied he was going to be saved. He said until the last that he was innocent.

Horie was unable to hire a lawyer, and so the State supplied for the defense a woman lawyer of Mobile. "I'm not going to say she was a good lawyer, and I am not going to say she was a bad one," said Horie. "I'm not going to say anything about anybody when I'm this near eternity," he concluded. He became a church member after he got into trouble and was baptized into the Baptist faith after being imprisoned.

John Thompson, who completed the quintet, was likewise from Mobile. He and a brother were convicted of entering a Mobile store under the pretense of trading, and robbing and killing Henry Bloom, the merchant, and shooting Mrs. Bloom.

Posed Insanity

John played crazy from the time he was brought to Kilby. Sanity tests given by Dr. Partlow, president of the Bryce Hospital for the insane, proved his insanity was a fraud.

John sat in his cell, hunched up like a beast of the jungle and refused to say a word. But in his last 12 hours he talked some and prayed. John said he wanted to stay here just as long as he could, that he was not ready yet to meet his God, though he was innocent. John's eyes were wild and roving, and his features ape-like. He was considerably older than the other four, apparently in the neighborhood of thirty-five. His intelligence quotient must have been very low. John was reared at Brewton. He did not want his people to come for his body. In respect to his wishes he will be buried at Kilby.

The brother, Louis Cunningham, convicted with John Thompson, and sentenced to electrocution at the same time, died in Kilby Hospital a few weeks ago.

Another Given Reprieve

Perry Kenny, of Perry County, convicted of the murder of Jim Phillips, and originally sentenced for the mass execution, was granted a 30-day reprieve by Governor Miller in order that the Pardon Board might have more time to investigate and consider testimony in the case.

Lee Fountain, also of Perry County, and convicted of the murder of Robert Martin to collect an insurance policy, was granted executive clemency, his sentence being commuted to life imprisonment by the Governor.

The death sentence of Teaner Autrey, of Monroe County, convicted of scalding to death a four and a half year old stepchild, was also commuted by the Governor to life imprisonment.

EXPOSES ABUSE OF NEGRO IN PRISONS

Race Prisoners Shamefully And Brutally Treated In Dixie Prisoners, Jane Speed Reveals — Says Southern "Chivalry" Vanishes "When You Step Out of Your Class."

By GERALDINE SARTAIN
In The Knoxville News-Sentinel

NEW YORK, Feb. 15—There is no prison pallor now on the cheeks of Jane Speed, Southern girl of the proudest Alabama and Kentucky lineage, for she has been free from the walls of the Southside City Jail in Birmingham for some weeks.

Instead there is a look of fiery resolve to help right some of the wrongs that she says the "ruling white class in the South impose on the 11,000,000 Negroes living there"—a resolve, by the way, for which Jane Speed served 53 days in the Southside City Jail.

There is a determination to stand by her convictions, even though it carry her via picket line, the Sharecroppers' Union or the militant speaking platform back to that self-same place of punishment or to some other equally as bad.

Mary Craik Speed, of Montgomery, Ala., lives here now, away from the land where her ancestors and her parent family belong to that same "ruling white class."

This is Jane's first visit to her mother since last May Day, when this young woman mounted the running board of an automobile in Birmingham and sought to exercise her constitutional rights of free speech.

Dragged From Running Board

"It was a United Front Unemployed meeting," Jane explained. "We had asked City Commissioner

Jones for a permit to hold a meeting at Ingram Park. He refused in these significant words: 'We are sitting on a barrel of dynamite, and this is no time to have whites and Negroes mixing and mingling together, and listening to inflammatory speeches.'

"Well, I still thought the constitutional guarantee of freedom of speech held good, also the right to peaceful assembly. But you don't know Birmingham police. The entire police force and dozens of motorcycle cops turned out that day to prevent any of the thousandswho appeared at the park from meeting.

"Finally, however, a group of 50 were mobilized on one corner, and I started speaking from an automobile running board. I got no further than the first sentence when the cops rushed in. One grabbed me by the arm, and pulled me off the car. The crowd rushed forward to help me. Immediately the cops started beating them.

Cursed by the Police

"For a moment the thud of the blows and the sight of the blood made my head reel. But I began speaking again. demanding that we be allowed to have our meeting.

"I was dragged toward the police car, the police twisting my arms. In the car they threatened me and cursed me in the vilest, most obscene language, and continued squeezing and twisting my arms and calling me "a dirty Nigger lover'."

And so—the girl spent her twenty-third birthday in jail, the first white woman of her class ever committed there.

Taunted In Line-up

A deep red flame of anger burned in Jane Speed's cheeks whenever she remembered the morning she was exhibited to 75 plainclothesmen and cops in the police "line-up," and how they reviled and taunted her "with insulting remarks."

"There in that so-called 'chivalrous' South where white men are supposed to protect Southern white womanhood," she commented with a smile, "it was the Negro who heroically defended me when the white police mere maltreating and cursing me. I see the whole farce of Southern chivalry now. Do what to them is stepping out of your class and their much vaunted veneer of chivalry cracks. It's all a question of economics."

The jail quarters were foul. But worse, while this graciously-reared girl lay on her cot nightly she listened to the screams of the Negroes being beaten by their jailers, she said. Smuggled notes from New Goodwin, the Negro sentenced for helping her, later told her of the heavy leather strap and sticks with which he was scourged often.

"The treatment meted out to Negro prisoners throughout the South matches perfectly their lives of social ignominy, economics exploitation and political impotence when they are out of jail," the girl observed bitterly.

"You should see Birmingham, for it's the perfect object lesson of Negro exploitation. The wealthy live in beautiful homes on the 'Highlands,' and the Negroes exist in shacks, with great gaping cracks in the walls and broken window panes through which the winter cold pours.

"Often only one faucet of water supplies a whole neighborhood, for the pipes have been torn up, the gas turned off and those thousands live without water, gas, sidewalks or sanitary arrangements, one step above starvation. Relief when given to Negroes amounts to but $2 a week—that to cover big families of six, eight and ten! And who owns these terrible shacks? Whites, always whites. One white landlord will often own immense holdings of Negro shacks."

February 16, 1934

Kilby prison was turned into a wholesale human slaughter house last Friday when five negroes were executed. The original program called for the rubbing out of eight negroes, but one died and two were given "stays," and so the number was cut down to just five.

On the same day Texas executed three negroes, so it was an unlucky day for the colored race these two cotton states.

It does look like the state, for appearances sake, might have spread out the executions, thus preventing the state from taking on the appearance of ruthless determination.

CHARLOTTE, N. C.
OBSERVER

FEB 4 1934

Mr. Arthur H. Wearn, Mayor,
Members of City Council;
Mr. J. B. Pridgen, City Manager;
Mr. E. D. Pittman, Chief of Police.

Gentlemen:

It has been gratifying to learn that you have given attention and consideration to the charge made by a colored woman in a signed letter published on this page last Sunday and a letter on the same subject which I addressed to you. I refer to the charge of the woman who gave her address as 519 South Davidson street, who told how policemen late the previous Thursday night, while the family was asleep, broke into their home without warning and without showing a warrant, ostensibly looking for a negro who did not live there.

I am glad to be informed that the police department, through Chief Pittman, has been ordered by the mayor, councilmen and city manager not to engage in such practices hereafter. I am advised also that the policemen deny that they ever enter any house as charged without a warrant. May I suggest that you ask what kind of a warrant they mean. Just to pick up any old warrant that happens to be handy when they start out and carry it in their pockets like a watch, for use anywhere they go, does not meet the requirements of the law.

The practice of breaking into or otherwise forcibly entering residences without a warrant, particularly at night when the occupants are asleep, is not only dangerous but it is a species of tyranny and an abuse of the police power that should not be tolerated. And the law makes no distinction between white and colored citizens.

GENERAL MECKLENBURG.

February 15, 1934

CRIME AND PUBLICITY

Nearly all of Alabama's newspapers gave first page to the electrocution of five negro murderers at Kilby Prison Friday morning. In the modern and better conception of the thing, the state did not take the lives of these negroes merely to punish them for their murders. They were electrocuted for two other reasons. One was to prevent them from committing any more murders. The other was to make an example of them which would prevent other people from committing murder. In the interest of the second reason, the electrocutions deserved all the publicity that could possibly (and decently) be given them. To have held them in public would have been indecent, unwise, shocking to every human sensibility, demoralizing. But to have them reported and even intimately described in the newspaper is useful and proper, it seems to us. We would favor even more prominence and description than the newspapers give them.—John Graves in Birmingham-Age-Herald.

Warden Lawes of Sing Sing who has made a life study of criminals and their punishment and has written voluminously on the subject, bears witness that the death penalty is not a deterrent acting as a restraint on the man about to commit murder. Warden Lawes attests that personal questioning of more than 1600 persons during an experience of 20 years has failed to reveal a single affirmative answer to the question, "Did the thought that you might have to forfeit your life for this crime dissuade you in any way in committing it?" Not one did he find who said the possible consequences played any part whatever in the antecedent circumstances. The law and its penalties were completely non-existent in the mind of the criminal. If this testimony from such an eminent source is trustworthy, what possible benefit can accrue to society or the state from wide publicity given to executions from capital offense? The notion appears to be wholly unfounded that others are deterred from committing crimes by reading about or hearing about what happened to those who had made this false step. —Selma Times Journal.

HOUSE, STORE BOMB TARGETS

Post

Grocers Escape Injury As Terrorists Set Off More Dynamite

$ 2-8-34

Two East Thomas grocers narrowly escaped death as terrorists early today added a new crime to the list of 21 unsolved bombings which have taken place in Birmingham and vicinity in the last few months.

Joe Ellis, 20, and Ray Lelino, 18 Italian operators of a grocery at 401 11th Ct., w., suffered severe shock when a bomb exploded under the floor near where they were sleeping in the store.

Nearly 50 square feet of splintered timbers showed the effect of the bombing, but the section of the floor on which the men were sleeping was not wrecked.

The front of the home of Abner Steverson, negro, T. C. I. employe next to the store, was wrecked by a bomb thrown immediately afterwards, but no one was injured.

A moment later Steverson's wife answered the telephone to be warned "We didn't get you this time, but we'll be back tonight."

Steverson operated the grocery until four days ago, when he sold it to Ellis. Ellis believes it possible that the bombing was meant as a reprisal against Steverson, the bombers not knowing of the change in ownership.

Steverson believed labor troubles were responsible. East Thomas has been a hotbed of labor strife and the scene of several unsolved bombings.

Alabama

Crime-1934

MONTGOMERY, ALA.
ADVERTISER

FEB 11 1934

EXECUTION AND CRIME

In The Birmingham Age-Herald we find two editorial articles, one expressing the personal views of John Temple Graves, II, and the other expressing the views of the editor. Both articles deal with the recent execution of five Negro murderers at Kilby Prison. And, or so it appears to us, each article expresses different points of view.

We quote first the views of The Age-Herald's editor as expressed on the editorial page:

> The "mass execution" at Kilby Prison Friday morning was something to stir a reporter's soul to ecstasy, but let us hope that it will never be repeated in this State. The authorities are to be commended for doing their level best to keep sensation-seekers out of the death chamber, yet we read that the son of a victim of one of the murderers was in the group of onlookers. This is too close an approach to private vengeance to be relished by civilized persons.
>
> It was sheer coincidence that all of these executions were separately set for the same time. But it is to be observed that two of the prisoners came from Mobile, and it is to be assumed that the Supreme Court which dealt with these cases on appeal could have arranged a different program. When the question of distributing the executions went to the governor and the Pardon Board, matters had crystallized so that the solution of having the men electrocuted at stated intervals was almost as objectionable as the wholesale plan.
>
> The Age-Herald is of the opinion that a little more thought and a little more system might have availed to prevent this accumulation of horror. It is not easy to fix upon the reason for one's repulsion toward execution en masse, particularly since the condemned men had been found guilty of atrocities for which no excuse can be offered. Yet the mere fact that five Negroes went to their doom at seven-minute intervals is somehow abhorrent to the sensitive mind.
>
> Meanwhile, it is well for Alabamians to know that this event has attracted unfavorable attention outside the State. This is to be regretted, not because we wish to be controlled by opinion elsewhere, but because criticism in this instance is merely an echo of our sober reaction. Surely there is enough ingenuity among us to make another "mass execution" improbable. If legislation is needed for the purpose, it should be enacted. We have enough real problems to face. We should not invite perplexities.

Mr. Graves, whose daily column appears on the first page of the Birmingham newspaper, believes that more publicity should be given executions. But let him tell it. He says in full:

> Nearly all of Alabama's newspapers gave first page to the electrocution of five Negro murderers at Kilby Prison Friday morning. In the modern and better conception of the thing, the State did not take the lives of these Negroes merely to punish them for their murders. They were electrocuted for two other reasons. One was to prevent them from committing any more murders. The other was to make an example of them which would prevent other people from committing murder. In the interests of the second reason, the electrocutions deserved all the publicity that could possibly (and decently) be given them. To have held them in public would have been indecent, unwise, shocking to every human sensibility, demoralizing. But to have them reported and even intimately described in the newspapers is useful and proper, it seems to us. We would favor even more prominence and description than the newspapers give them.
>
> The words "electrocution," "hanging," "death sentence," etc., have necessarily been used so often that they have lost some of their force over public imagination. Insofar as public example is one of the principle reasons for the death penalty, such words are not enough in newspaper descriptions. There should be other words to indicate the finality, horror and awfulness of the thing, the physical reactions and manifestations, the facial expressions, the fear, or the fearful stupor. Words which may pity the condemned men and dramatize their fate, but which take care never to make heroes of them.
>
> The Advertiser agrees with both Mr Graves and The Age-Herald's editor that the lay public should be spared the horrible show of public electrocutions and hangings. Public executions have been tried. It must be remembered that they did not have the desirable effect on the criminal mind that some present-day advocates of public hangings argue.
>
> It must be remembered, too, that the decent, law-abiding people must be considered before the criminal. The decent minds outnumber by far potentially criminal minds.
>
> Even if public executions should be as effective as many seem to believe they would be—when tried again, there should still be the question: Does the result justify the horrible means, does the good effect on criminal minds justify the bad effect on sensitive minds?
>
> The Advertiser does not believe that the modicum of good accomplished by public legal killings would offset the unwholesome effects they would have on the mass of the people.
>
> In this article we are not considering the condemned man. We prefer to think of him as not a human being, but as a condemned object to be put out of the way for a common good. But we are thinking of the people who must live in a society whose duty it is to condemn and put to death human beings not fit for that society.
>
> To deliberately plan a "mass execution" for a horrible showing, even though designed to thwart crime, would not be in keeping with the "modern and better conception." We should condemn such a procedure.
>
> But it was only coincidence that the execution dates for the five men were set for one and the same night. The Circuit Court judges who sentenced the men (from four different circuit districts) merely happened to sentence their respective prisoners to die on Feb. 8.
>
> It is doubtful that such a number of men will be sentenced to die on the same night again. Such coincidences do not happen often.
>
> The Advertiser would remove any semblance of personal vengeance from executions. It would have condemned men put to death in the most effective manner, with the least possible shock to public good taste.
>
> But this paper is suspicious of extreme plans either to "cure all crime" without regard to a sensitive public, which must live and pursue happiness, or to remove unlovely judicial procedures from the sight of the public, without regard to a lawless element which must be controlled or removed.

Police Score In Fight On Crime

Two Negroes Arrested For Stokes Shooting And Attack On Mother, Girl

Police yesterday believed they had scored twice in their efforts to bring to justice the perpetrators of two of the most brutal crimes reported here in recent months, and city and county authorities were following every meager clue to solve the mystery of a third.

Chief of Detectives Paul Rapport last night announced that Detectives Roberts and Boyd were detaining George Williams, 18-year-old negro, in connection with the shooting Saturday night of Edward Stokes, 36-year-old ice cream vendor, and that Detectives Dennison, Chancellor, Curtis and Waugh had arrested Willie Elder, negro, 25, for criminally assaulting a negro woman and her 8-year-old child last week.

Both Williams and Elder denied the charges.

While no charges had been preferred against anyone in connection with the possibly fatal assault upon D. Eugene Meadows, 60, in Chisholm Saturday night, officers reported they were following every possible lead. A negro, arrested on superficial information, was being detained for questioning.

Mr. Meadows, also an ice cream vendor was robbed of several dollars after his skull had been fractured with a long iron pipe. Late last night he had not regained consciousness and hospital attendants said that his condition was critical.

Williams was seized yesterday afternoon near his home on the Carter Hill Road by detectives and taken to the county jail. There he was placed in line with a group of other negroes and inspected by Mr. Stokes.

Without hesitation, the latter identified the negro as one of the two men who Saturday night shot him in the arm and face after they had attempted to rob him on the 500 block of South Bainbridge Street.

A negro, who had also reported being robbed of a small amount of change Saturday night, likewise pointed to Williams as the thief. The negro, police said, was robbed within a few blocks of the place where Stokes was shot.

Willie Elder, arrested on a "tip," the source of which officers declined to divulge, was being questioned last night about the brutal attack in West End on May 13 upon the negro woman and her daughter. While Elder asserted that he knew nothing of the assault, police said they had "strong evidence" that he was the man sought.

The woman assaulted was not seriously injured, but the child received severe injuries and has been confined to a hospital since the attack occurred. Hospital attendants said that she was expected to recover, however, and that she would be permitted to return to her home this week.

Detectives said that Elder probably would be charged with rape and Williams with attempt to rob and assault to murder.

Officers were notified yesterday by Tom Jones and Harry Ohme, of 44 South Goldthwaite Street, that their rooms had been burgled of about $66 in currency. The burglary was about the 20th reported here within the last two weeks.

Chief Rapport requested that the public take notice of the house burglaries and stop "inviting" thieves into their homes by leaving doors unlocked and by leaving obvious signs that the house is temporarily vacant.

MURDER IN ALABAMA

It is the annual custom for Birmingham newspapers to acknowledge the doubtful honor of having the title, "Champion Murder City," bestowed on that Alabama metropolis.

The Birmingham Age-Herald is rather tired of going through the motions of Viewing With Alarm every 12 months after the homicide reports are listed, most always showing Birmingham at the top of the list with Memphis and other Southern cities—not excluding Montgomery—coming uncomfortably close to the top.

The Age-Herald says:

Statistics for the first three months of this year, issued by the division of investigation of the Federal Department of Justice, hold some comfort because they show fewer murders, robberies and motor thefts than were recorded for the same period in the last three years. But that gleam of hope is extinguished for us, as read the following summary of the report: "The worst record for murders during the three months, in proportion to population, was made by Birmingham, Ala.; for manslaughter by Kansas City, Mo.; for robbery by Chicago; for aggravated assault by Memphis; for burglary by Norfolk, Va.; for thefts of $50 or more by Indianapolis; for thefts of $50 or less by Dallas, and for automobile thefts by San Antonio, Texas."

There we are at the top, and all our explanations of this sorry distinction avail us nothing. The terrible fact simply cannot be talked away. Surely the hour has arrived for us to do something calculated to reduce the murder rate in this community. Perhaps we can profit from the suggestion of The Springfield Republican that "an item of significance in the report is the comparative size of city police forces. Boston, Jersey City and Newark lead the country each with three police employes for every 1,000 inhabitants. These are among the cities that make the best showing in the crime statistics." Birmingham cannot show as much as one police employe for each 1,000 inhabitants in the same connection.

"It is hazarding little to say that since it has taken on metropolitan size, Birmingham has never had a police force as large as it needed," The Age-Herald adds. "That was true even in boom days. It must now be the case with a vengeance. Despites its financial troubles, Birmingham should have a bigger police force. The sooner we realize this, the better off we will be in every respect. And the sooner we realize that Negro killings count and should count against us, the better off we will be. We cannot afford much longer to wear the title of Murder Capital of the United States."

Birmingham, while it has an efficient police department, has not had enough police officers in years.

Even during the so-called boom times the Atlanta police force was about twice as large as the Birmingham units. And Birmingham has 50 square miles of territory in which it must accept the national blame for every murder committed.

Montgomery has a much larger police force in population ratio than has Birmingham!

Nevertheless Alabama jurors have been too lax in the hearing of Negro murder cases. Murder cases involving Negroes should receive more serious attention from the police, the courts, and by no means least, the people.

State's Convict Problem Meets Partial Solution

Knight Ruling On County Road Camps To Offer Outlet For Prison Labor

Meets Vital Need

New U. S. Act To Cripple Established System For Utilization Of Prisoners

By J. R. M'COY

Definite decision has been reached for placing in operation a plan made possible by a ruling rendered Monday by Atty. Gen. Knight, which Gov. Miller believes will go far toward solving if it does not entirely dispose of the problem created by the Hawes-Cooper Act of Congress placing such restrictions on shipment out of the State of convict-made goods as to make it practically prohibitive and placing squarely upon the shoulders of Alabama taxpayers the burden of supporting the State's huge prison population.

This decision, as announced yesterday by the Governor, is that as many as possible of the total number of State prisoners on hand, as well as county convicts working out hard labor sentences under the State's supervision, will be put to work building, repairing, improving and maintaining county roads and bridges throughout Alabama.

Ruling of the Attorney General enabling the State to take this step is to the effect that the counties may expend their gasoline tax funds to buy land for sites on which the State will establish convict camps for housing and maintaining State convicts who will be employed on county roads. They may also use such funds for the building of these camps.

To Cut Prison Population

Alabama's present prison and prison camp population, including county prisoners turned over to the State as well as State convicts, is approximately 4,750. Of this number, between 1,350 and 1,400 are now engaged in working on county roads from camps established and maintained exclusively by the State. It is estimated that at least 1,000 more can be put to work at road building after deducting the physically unfit and prisoners known to be vicious and dangerous.

Already, the Wilcox County Board of Revenue has purchased a camp site comprising 200 acres, located near Camden, the county seat, and building operations are to go ahead at full speed until needed facilities are provided and the camp is ready to be occupied by the 200 convicts to be transferred there, which it is expected will be within the next three weeks. A half a dozen or more other counties are now clamoring, it was learned, for the establishment of similar camps on lands to be furnished by the counties. These requests will be complied with as rapidly as possible, it is understood.

As to the initial camp in Wilcox, Gov. Miller made it known that it has been agreed the State will furnish all camp facilities and maintain and operate it, the 200 convicts quartered there to be worked on county roads. In return, the county will pay the State from its gasoline tax funds, the sum of $1,000 a month for the work of the convicts. All expense above the $1,000 a month incurred by the State in operation of the camp will be paid by the State.

State Gets Nothing Now

In operation of the 10 or 11 road camps now being maintained in various sections of Alabama for the working of county roads, the State bears all the expense and gets nothing in return. While agreement with Wilcox county authorities is the first under the newly launched plan, additional agreements with other counties desiring camps will, it is understood, follow similar basic lines.

As work now being carried out by the 10 or 11 convict camps already being operated by the State is completed, these camps and their inmates will be transferred to other points to undertake county road projects under the new plan, it is understood, with the ultimate result that the enormous expense now being incurred by the State in maintaining these camps will be greatly reduced through participation by counties desiring to do so, with the State, in the expense incident to the development of county road systems.

There are only two counties—Jefferson and Mobile—that work their own county prisoners. All the rest turn their prisoners over to the State for the working out of sentences.

The large acreage purchased by Wilcox County as a camp site for the State will not only furnish ample space for the camp, but will also provide additional acreage for the carrying out of farming operations, so that a large part of the food necessary for the convicts at the camp, can be produced there.

Wherever the State furnishes camp buildings and equipment it will, of course, reserve the privilege of removing them to another camp location when the work for which the original camp was equipped is completed.

TWO NEGROES HELD IN BURGLARY CASE

White Man Is Accused Of Receiving Stolen Goods

Two negroes are in city jail on burglary and grand larceny charges and a white man, said by police to have purchased loot from one of them, is in Southside prison charged with buying, receiving and concealing stolen property.

Police said John Crawford, 27, negro, was arrested after he had broken into an Atlantic & Pacific Tea Co. store at 2050 Seventh Ave., s., early today. Ted Garrett, 22, was arrested as a "lookout." Both are charged with burgiary and grand larceny.

A man who said he was Isadore Goldfarb, 836 24th St., s., is charged with purchasing cigarets stolen by Crawford in a burglary at the same store on Sept. 23.

EX-POLICEMAN HELD GUILTY OF FORGERY

U. S. Court Convicts Yarbrough Of Writing Tenant's Name On $198 AAA Check

P. Y. Yarbrough, farmer of Autauga County and former Montgomery policeman, yesterday was convicted of forgery by a jury in the United States District Court.

Yarbrough will appear for sentence on Oct. 13 before Judge Charles B. Kennamer.

The forgery charge grew out of Yarbrough's alleged act in signing the name of a negro tenant to an Agricultural Adjustment Administration benefit check, made payable jointly to Yarbrough and his negro tenant, Austin Taylor.

The amount of the check was for $198 and was issued to them for plowing up cotton.

Yarborugh on the stand admitted signing the negro's name but declared the negro gave him authority to sign his name. He admitted that he received the full amount of the check, stating that he gave the negro credit on what he owed him for his part of the check.

The negro denied that he gave Yarbrough such authority. He testified that Yarbrough received the check and that he had no knowledge that the check had arrived. He also denied that he owed Yarbrough the amount claimed.

Judge Booth, of Prattville, cross-examined the negro at length.

"Taylor," he asked, "you've been convicted for stealing several times in Autauga County, haven't you?"

"Judge Booth," the negro replied, "'dis is Mr. Yarbrough's trial. I ain't on trial."

Agent Roy Perry, of the U. S. Secret Service, and Joe Swann, Deputy U. S. marshal, testified that when they arrested Yarbrough, he told them the negro endorsed the check. They said Yarbrough told them the negro was sick at the time and that he held the lamp to enable the negro to see how to affix his signature.

The jury deliberated only a short while before returning a verdict of guilty.

In another case Clyde Bass was convicted by a jury of a charge of violating the anti-narcotic law and was sentenced to four years in Leavenworth by Judge Charles B. Kennamer.

Crime - 1934

Alabama

Society Blamed for Child's Plight

Full Investigation Needed Before Fayette Woman Is Condemned

Editor, The Post:

Thirty years ago P. T. Barnum called his circus "The greatest show on earth." Today, Barnum's description of his circus seems mild when compared to the show being staged in Fayette and titled the "Fayette County Torture Child." This case has become nationally famous due to the wide publicity given it by the Birmingham newspapers. In the end it is the newspapers to clear up this case of the unfortunate family and child involved, the people of Fayette as a whole are being slandered.

The writer is not a native of Fayette county, but has lived among the people of this county for six years and has had an opportunity of mixing with every class of these people. I have lived in at least a dozen states, in Canada, and also in five different European countries while serving with the American army and found similar conditions existing in all these places as in Fayette county. The people of Fayette are honest, religious and hard-working. There are other unfortunates, like the Porter family and the Johnson child in Fayette as well as in every other part of the United States, including Jefferson county.

But to go back to the Porter case, I have some knowledge of the conditions that surrounded this family. All during last year the Porter family lived within a half mile of where I resided, and I saw these people almost daily. They lived like the average farm tenant, worked every day in the hot Alabama sun. Every member of the family worked, and worked hard. All members of the family appeared undernourished. Earl Porter himself looked as if he weighed less than 100 pounds and his wife, the accused woman, would weigh even less. If the accused Porter woman mistreated the Johnson child to the extent set forth by the newspapers, then she should be punished, but every angle of the case should be considered.

Insofar as the sores on the child's body are concerned, an examination should be made to determine whether or not the sores and scars were not caused from "Impetigo," an epidemic of which all last year and this year infested the rural children. It is one thing to say that the child was not given medical attention, but it should also be considered that people as poor as the Porters are can only call a doctor as a last resort. It costs at least six dollars to get a doctor from Fayette to where the Porters live, and this family, I would venture to say, has not had six dollars inisting the whole family at one time for years.

The child should also be examined to determine whether or not she is suffering with hook worm, another malady which keeps rural children lean. The fact that the child habitually eats dirt, as the papers indicate, is sufficient reason to believe that she is suffering with hook worm. Not only the Porters, but almost every other farm family of Alabama of poor financial circumstances, work their 12-year-old children, which at its best is hard manual labor.

All during last year no one in the community, including myself, heard of any brutality, and if conditions as mentioned by the papers existed all during the last 16 months, the writer would have heard of it, and would have been one of the first to have reported it to the proper authorities.

Another fact that the writer would like to mention is that Fayette county, like many other small Alabama counties, has no public health officer, sanitary inspector, or any other means of checking and controlling diseases such as Impetigo.

The Porter woman may have been inhuman, but a crime, if she has committed one, is secondary to the inhumanity of the standards set up for farm-tenant-life and which is virtually responsible for this woman's plight.

There are too many people who crave sensation and who are willing to damn the unfortunates to satisfy their lust for sensation. These very people are the last ones to help remedy the conditions the unfortunate ones live under.

The records of the school board of Fayette county shows that the Johnson child never attended school all last year. Fayette county has a paid attendance officer, whose duties it is to see that all children of school age attend school. Why was this case not discovered before this and the child made to go to school? A school bus passed the door of where the child lived daily all last year.

HAROLD B. FERGUSON,
Fayette, Ala.

County Officials To Seek Solution Of Old Short-Term Convict Problem

A more efficient and economical method of handling the short-term convict is given as a problem confronting the 1935 Legislature, it was learned yesterday from persons familiar with existing conditions in the State prisons. That legislation will be offered to relieve the State of all prisoners with terms under six months and pass them back to the counties appeared a certainty.

How best to solve the short-term convict problem looms as an important question coming before the annual convention of the Association of County Road Commissioners of Alabama in Huntsville next week. Few of the counties, it is understood, want to take back the prisoners whose terms run for less than six months. Yet, some of the commissioners are said to be willing to recommend to the Legislature modifications of the short-term convict act which has been on the statute books since 1927.

Officials of the association said yesterday the problem would be discussed from a practical and economic standpoint at the Wednesday afternoon session of the convention. It is probable that an official of the convict department will present the State's side of the problem.

If the law should be repealed and each county left to handle its own short-term prisoners, it would cause no serious problem in Montgomery County, it is believed, as a relatively small ratio of those sentenced here receive terms under three or six months.

However, it is claimed in some of the counties, where officers are on a fee basis, the percentage of such prisoners is greater. A great many of the counties, it is understood, will be in position to put their hard labor convicts on the roads.

The convict department is expected to cite figures to the incoming legislature, showing that were it not for the short-term convicts, it would be practically, if not entirely, on a self-sustaining basis.

It was learned that a compromise may be proposed whereby both the State and the counties would share the expense of feeding and clothing such prisoners. An agreement has been proposed for the convicts with terms of three months or less to go back to the counties, either to work on the roads or elsewhere, or be confined in jail, and the State pay the board and clothing bill.

Such a plan, it was pointed out, would relieve the State of transportation costs and other expenses in connection with handling the convicts.

The short-term convict matter is likely to evoke considerable discussion at next week's convention, it was announced.

Dr. Andrews Urges F... Of Jail From Sheriff's Hands

Also Proposes Installment Plan For Payment Of Misdemeanor Fines

Recommendation that the constitution be so amended as to relieve sheriffs of the custody of prisoners confined in county jails and of the care of the jails themselves; putting county governing bodies in absolute control of them with a man in charge directly responsible to the county officials and the State, and placing of the sheriffs on a salary is recommended by Dr. Glenn Andrews, State Prison Inspector, in a report just submitted to Gov. Miller.

This report which covers the two-year period ending Sept. 30, 1932, further recommends passage of a law providing for the release of misdemeanants at the time of arrest, when moral turpitude is not involved, on their recognizant, to report at a given time to a court of proper jurisdiction.

It recommends further the abolishing of jail sentences except for contempt of court, and the making of provision in cases not justifying punishment at hard labor, that instead of the imposing of a jail sentence, the court be authorized to parole the prisoner into the custody of a probation officer for a given period of time, the prisoner being required to be kept at work and to pay to the court at stated intervals, a stipulated amount, until the fine and costs are satisfied.

It is also recommended that district jails be established by authorizing several adjoining or continuous counties to unite in constructing and maintaining a single county jail under joint control and that provision be made for employment of a matron in jails where women are prisoners.

"Further discussion of these suggestions will not be entered into here," Dr. Andrews then says, "but are referred to in order to keep them before the public, with the hope that sufficient interest will be aroused in the archaic laws regarding the jails to bring about measures of relief. Opinions are frequently criticised and blamed for conditions which they are powerless to prevent, due to the system under which they discharge their duties."

An increasing and commendable interest is manifested on the part of a number of sheriffs in keeping county jails in proper condition, the tendency being toward improvement. Dr. Andrews declares. Pointing out that under the constitution the sheriff is custodian of the prisoners and responsible for the keeping of the jail, while the county governing body is responsible for the construction and upkeep of the building and for all furnishings, including necessary clothing for the prisoners and lights, fuel and water for general use, the State Prison Inspector says:

"This creates a dual responsibility and frequently begets confusion, and sometimes pronounced dissension between the sheriff and members of the court of county commissioners, the result being that the county's property and the unfortunate prisoner suffer from the lack of proper care and from neglect." The system, he then asserts, should be changed. County authorities should be placed in absolute control of the jail, and be required to place a man in charge of it who is directly responsible to them and the State for the proper keeping. The sheriff's responsibility should cease after he has delivered the prisoner into the jail and taken a receipt for him; except that he should, of course, be required to protect the prisoner against threatened assault from

without, and render such assistance as might be necessary when called upon by the jailer.

Pointing out that the sheriff is a peace officer with grave responsibilities demanding his close attention, Dr. Andrews says that in most counties he does not have the time aside from such duties to properly look after the keeping of the jail and should be relieved of this care. The sheriff, he adds, should be placed on a salary commensurate with the dignity and responsibility of the office and sufficient in amount to warrant the devoting of his undivided attention and entire time to the duties of the position he holds.

All county jails, the report says, should be provided with a competent watchman in the day time as well as at night.

The county jail, the inspector recalls, was primarily intended merely as a place of detention for those being held for trial who were either unable to make bond are were committed for non-bailable offenses. It is used, however, he adds, not only for this purpose, but also as a place of punishment. "Prisoners are frequently sentenced to serve time in jail for more or less trivial offenses, and are compelled to be in close association with a class who are trained in the ways of criminality," he says. "This condition is equally true of those who are held for trial.

For Separating Prisoners

"The result of this is that prisoners charged with trivial offenses and being held for trial or serving sentence are released from the jail after having imbibed from those with whom they were compelled to associate a resentment against society, and with the first lesson of crime instilled into them. Those in charge of the jail are not responsible for this, but do the best they can under the circumstances."

State law requires, it is cited, that every jail make separate provision for each race and sex. It is thereafter declared that statutory provision should go further and require complete separation of the misdemeanant from the felon, and for those awaiting trial from those who have been convicted and are either serving time in jail or are awaiting appeal to a superior court. In this connection, Dr. Andrews makes it clear he realizes this will require larger and more expensive buildings and entail a much heavier burden on the counties than a majority of them are able to bear, and says that imperative as this requirement is, it is nevertheless, unnecessary and unwise to demand it, as it cannot be complied with under present conditions.

It is after making this statement that Dr. Andrews advances the idea of the advisability of abolishing the individual county jail and substituting a jail for a given district comprised of several adjoining counties; a few properly constructed cells being provided as an addition to the individual county courthouse, where prisoners could be held, temporarily, if necessary, pending transmission to the jail—or for confining those whose cases are set for trial on a certain day. Such district jails, it is pointed out, would provide ample space for the segregation of the different classes of prisoners.

Employment could be given men convicted of misdemeanors, on the surrounding farm lands, it is stated, and a workhouse established for employing women prisoners.

Almshouses Improved

There has been notable improvement, the report says, in the keeping of county almshouses and in the care of inmates in some of the counties, but in some others conditions are far from satisfactory and "indicate either indifference or neglect on the part of those in charge." A solution of prevailing unsatisfactory conditions which is not so much the fault of the supervisors of almshouses as it is the fault of the system in vogue, is offered, it is stated, in application of the provisions of the law passed in 1927 providing for district almshouses in the State, two or more counties uniting in the upkeep of one district home for their paupers.

Such an arrangement would make possible the providing of better quarters, it is declared, and greatly reduce the overhead expense for each individual county participating in the plan.

Stay Of Execution For Two Negroes

On recommendation of Secretary of State Pete B. Jarman, Jr., member of the State Board of Pardons, who wished to have adequate time to study thoroughly both cases before passing on petitions for commutation—Gov. Miller yesterday granted a stay until Friday, Sept. 14, of execution of the death sentences of Thomas Brown and Frank Jackson, condemned negroes, who were to have been electrocuted at Kilby Prison early Friday morning.

Mr. Jarman, who was out of the city for the greater part of last week, will have to devote a good deal of attention in the near future to his duties as Division Inspector for the 31st Infantry Division, National Guard, so that the time he will have to spend in looking into the records of the two negroes during the present month, will be limited. Atty. Gen. Thomas E. Knight, Jr., and Secretary of State John Brandon, have declined to recommend clemency for either Brown or Jackson.

Jackson was convicted in Montgomery County of holding up and robbing a white man and his young woman companion, and was also charged with attempted criminal assault. Brown was convicted in Morgan County of criminally assaulting a white woman.

Negroes Organize To Combat Crime

Organization of the better element of North Montgomery's colored citizens to checkmate lawlessness and crime was perfected Wednesday night with formation of the Royal Arch Social club of North Montgomery, and next Wednesday night Col. W. P. Screws, police commissioner will address the members.

The club was organized under auspices of the Jones Bible class of which it will become a branch.

Officers of the Royal Arch are Joseph Hamp, president; Jessie Williams, vice president, and Henry Cochran, secretary.

Governor Saves Frank Jackson

Negro Convicted Of Attack Attempt And Robbery Wins His Battle For Life

Gov. Miller late yesterday commuted to life imprisonment, the death sentence imposed on Frank Jackson, convicted in the Montgomery Circuit Court of being one of the two negroes who held up and robbed a white man and his young woman companion, on the South Court Street extension last Summer. Jackson was to have been executed in the electric chair at Kilby Prison early Friday morning.

George Meadows, co-defendant with Jackson, made a confession, admitting his guilt, and implicating Jackson. Meadows was electrocuted several months ago. Jackson from the first protested his innocence, claiming Meadows "framed" him out of revenge because he had run him, Meadows, away from his home some time before. The crime of which both men were found guilty was committed at night. Each defendant pleaded to the charge of robbery, of which they were convicted, was also charged with attempted criminal assault.

The Governor in his order of commutation issued yesterday, recalled that neither of the victims of the robbery appeared before him or the Board of Pardons, to urge that Jackson be electrocuted, or to show that "he was beyond reasonable doubt one of the negroes that committed the robbery." He recalled further that the trial judge, the prosecuting solicitor and two members of the Pardon Board declined to recommend clemency, but that the third member of the Board, Secretary of State Pete B. Jarman, Jr., recommended commutation. The Chief Executive then called attention to the opinion expressed by Mr. Jarman, that the evidence and circumstances involved in the case, to which he referred in his written report to the Governor, had created a serious doubt in his mind as to Jackson's guilt.

It is Gov. Miller's own view, as expressed in his order, that the evidence of the State was not clear, convincing and certain that Jackson aided Meadows in the commission of the crime. "No person should be electrocuted when there is serious doubt as to his guilt," the Governor added.

BABY SNATCHER IS SURPRISED IN ACT

Mother Awakes To See Negro Taking Child

Police search was under way today for a negro who last night was frightened out of a Southside residence as he was about to lift a seven-year-old girl from her bed.

Mrs. W. S. Collins, 1912 Eighth Ave., s., told police she awoke shortly before 11 p.m. when she heard someone in her bedroom.

She said that upon striking a match, she found the intruder was lifting her seven-year-old daughter from bed. The negro fled through the back door. Mrs. Collins said she hurled a hammer at him.

Three Cents

Supreme Court Reverses $2,500 Suit Brought By Negro Boy

By United Press.

MONTGOMERY, Oct. 12—Three cents worth of "white meat" took a small negro boy and the Atlantic and Pacific Tea Co. to the state supreme court.

Willie Donnell bought a pound and a half of white meat at a Jefferson county branch of the store. Its price was 23 cents, but after the package was wrapped, Willie discovered he had but 20 cents.

Donnell's attorney charged the irate butcher leaned over the counter and slapped the negro youth twice. Willie ran, leaving his purchase on the counter with the money, and the butcher allegedly threw the package after him.

Willie's attorney sued for $2,500. The Jefferson circuit court ruled in favor of the store. Yesterday, the state's high tribunal reversed the case, and ordered a new trial on the ground the butcher used more than necessary force in recapturing the package from Willie.

Birmingham, Ala., Age-Herald, October 10, 1934

Officer Tells Negro Group Causes And Cure For Murders

SPEAKING before a packed audience at the Negro Methodist Church of Irondale, Police Inspector Eddie Lyons Monday night discussed "Crime and Its Causes," in which he pointed out the staggering number of murders committed by the Negro race and then offered a cure for it.

Inspector Lyons told the congregation that lack of character was the foundation and cause of crime, and to combat and minimize the large number of felonies committed it was necessary to preach it from the pulpits, teach it at home and in the schools in building up character of the youth.

The police official said the idea of committing a crime doesn't "just come on one in a minute, but instead it comes gradually, and through association with persons of low character."

Inspector Lyons was assured the fullest cooperation by the group.

Arkansas.

Crime—1934

ATTACK ON REPORTER ADMITTED BY OFFICER

"Made Me Mad and I Knocked Hell Out of Him," Says Culp

MAYOR CONDONES ASSAULT

Curlin Shows Ignorance of Arkansas Law by Saying Sheriff Is Not Responsible for Deputies When Off Duty

Deputy Sheriff C. C. Culp of Crittenden County yesterday admitted to a Commercial Appeal reporter that he "knocked hell out of Al Capley," another Commercial Appeal reporter Saturday night, but refused to admit that he jabbed Mr. Capley in the ribs with a gun and "threatened to kill him."

Mayor William H. Hundhauser, under whose supervision Culp works as city marshal of West Memphis, said he approved Culp's attack on Mr. Capley.

"The only wrong that Culp did was not to beat Capley enough," declared Mayor Hundhauser. "I didn't investigate anything about it—it would be a waste of my time. I don't know whether Culp was ever indicted by a federal grand jury for taking a bribe, and I care less.

Promise Broken

A promise by Sheriff Curlin that a Commercial Appeal reporter could "sit in" yesterday morning when he questioned Culp concerning the attack, was broken. The "investigation" was completed before the reporter arrived at West Memphis, 30 minutes before the time set by Sheriff Curlin.

Dense ignorance of Arkansas law and the regulations of his office was displayed by the sheriff, who declared that the "actions of a deputy sheriff while he is at his home and not on duty are none of my business."

"I don't 'condone' Culp for slapping Capley," said the sheriff. "However, he told me that Capley was insulting and said that he did not have a gun in his hand during the time that Capley was there. I cannot take any action against Culp unless a warrant is sworn out against him.

"Culp had been told by me that all information for newspapers was to be given out by me. That is what he told Capley. I made this rule because we have been misquoted so many times in the newspapers."

Sheriff Curlin was asked to give definite cases of misquotation. He said. "Aw, I don't remember any exact times."

Culp, much more sociable yesterday than when he attacked Mr. Capley and threatened him with death, brazenly said: "He made me mad and I knocked hell out of him that's all there was to it."

"I don't remember just what he said he just made me mad. When I get that way I couldn't take nothing off my brother."

The deputy sheriff was not clear concerning the federal indictment against him in 1931 which brought a fine of $50.

"There wasn't nothing to that, either," he said. "They said I took five gallons of likker from a bootlegger to let him run through town. You know I got more sense than that—why a one-eyed man that was crazy would know better. I just got a lawyer and they never done nothing about it."

Office Deputy Sick

Concerning the records of Culp and the other deputy sheriffs, Sheriff Curlin refused to allow them to be examined on the grounds that C. B. Goodwin, office deputy, was out of the office because of sickness, and examination without him being present was impossible.

"Sure we all know how the records are kept but we haven't time to show them to you. I wouldn't allow you to go over the records by yourself, and Goodwin won't be back for several days."

in federal court here in what was known as the Sam O. Scott conspiracy case. On Dec. 5, his attorney entered a plea of nolle contendere, and paid a $50 fine. Culp said yesterday that he was accused of accepting five gallons of whisky as a bribe.

Named as defendants in the indictment were Culp, Sam O. Scott, Fred Kissling, Joe Robinson, Roscoe Berry, Tom Oliver, George Gardner, Irving Wise, Clarence Brown, Adrian Maxwell, Sam Gattuso and Hanse Kissling.

Crime-1934

CHAIR AGAIN ESCAPED BY ARKANSAS NEGRO

LITTLE ROCK, Ark., April 13.—(AP)—A fourth reprieve from Governor Futrell kept Willie Dean Jackson, 19-year-old negro, from being a Friday, the 13th electric chair victim.

He was saved once before just as guards were preparing to take him to the chair and as his sweeping family were saying their farewells.

"If facts gathered in our investigation are sufficiently convincing, I shall commute Jackson's sentence," the governor said. "Otherwise he must pay for the crime."

Convicts Said Worked As Mules in Arkansas

PINE BLUFF, Ark., April 18.—(AP)—The Pine Bluff Commercial says it has learned from reliable sources today that convicts are being used instead of mules to draw corn planters at Tucker prison farm.

Although not revealing the source of its information the Commercial says it came from men who had seen the convict-drawn planters in operation.

Walted Helms, of Texarkana, chairman of the state penal board, also could not be reached this afternoon. He was reported en route from Texarkana to Little Rock.

Prison Board's Chief Okehs Use Of Men To Pull Plows

Convicts In Role Of Mules Demonstrate Ability For Arkansas Officials

By W. HOWE SADLER
Associated Press Staff Writer

TUCKER PRISON FARM, ARK April 19—(AP)—The Chairman of the State Penal Board saw a demonstration of convicts working "in the traces" here today pulling cotton planters and ruled their task was not too hard.

The substitution of "man power" for mules during the crop planting period will be continued, he asserted.

Chairman Walter Helms, with H. Grady McCall, secretary to Gov. Futrell were asked by the Governor to investigate the practice after it had been revealed the men were being used for work because of a shortage of work stock at the farm.

Superintendent A. G. Stedman said the work the men were doing was no harder than any other manual tasks they were forced to perform.

Eight "teams" of six convicts each were marching up and down the mile long cotton rows, with a seventh man driving the planter.

The convicts were being used only at Tucker Farm No. 2 where Superintendent Stedman said a shortage of mules existed, in an effort to speed the task of planting cotton.

Hitching Them Up

The "hitch" consisted of a rope attached to the planter, with three turned cross sticks for the men to push against as they walked along in the "middles."

Chairman Helms said he had not been previously advised the men were being used for the work, but that after observing it and the conditions under which it was being done he saw no reason for it to be stopped.

"These men are here for a definite purpose," he said. "Most of them received sentences calling for hard labor. This labor is no harder than clearing timber, cutting ditches or hoeing in the fields. It is necessary that all of the 1,600 men confined here be kept busy. This is one way of doing the job."

The idea for use of men to pull the planters was a convict's, prison offcials said who had been transferred from the Boys' Industrial School at Pine Bluff.

The convict told members of the party that much of the planting there was done with the inmates pulling the machinery, and he had done such work in 1930 and during the time he served two previous sentences.

Workers Interviewed

Chairman Helms and McCall interviewed the men working today, asking them if they objected to the work and if it was harder than other tasks assigned them at the farm.

J. O. Snyder, of Wynne, Ark., said it was "plenty of work," and harder than digging ditches. "I wouldn't mind it if my feet didn't bother me some," he added.

George Norris, sentenced from Boone County for four years, said "it's all right after you get used to it. Some of the guys who weren't used to farm work couldn't get along so well at first, but it doesn't hurt you after you have been here awhile."

All of the convicts interviewed said they were allowed rest periods, and were not compelled to work when they were "not able."

A rain last night had made the ground soft, and many of the convicts had piled their shoes at the turn row and were working in bare feet.

It was easier to walk in the black spongy soil without the heavy work shoes, they explained and they had asked to take them off.

"This work isn't much harder than any other work on the farm." Charley Cox, a driver of one of the planter teams said. "Three months of it will cure you. If you stay here too long, you get to be a hardened criminal though."

Received Good Food

All testified that they received good food and clothing, and that their living quarters were comfortable.

"We have good food and plenty of it," Horace Midgett, of Little Rock, said. "Last night we had baked ham, vegetables, and good bread, and every man had a pint of milk for supper. That's about the kind of food we get all the time."

"We do not have enough mules for the farm," Superintendent Stedman said. "With the lack of money in the penitentiary fund, no work stock has been bought for several years. Our mules are all old, and with heavy work, they die fast. We are not able to buy any more right now."

The prison farm system contains 17,000 acres, with the principal crop being cotton.

Gov. Futrell said that since the Legislature in special session last January gave complete control of the penal system to the State Penal Board, headed by Helms, he preferred not to comment upon the practice until he had a report from McCall.

Reports For Governor

The Governor asked that that statement from the men, with the opinions of those who witnessed the demonstration be furnished him for his study.

"We are not using harsh methods at the institution," Stedman asserted. "In a system of this kind, where we must depend upon convicts for our guards and for most of our work, we endeavor to treat the men as well as possible but at the same time use correction methods which will serve the purpose of the institution.

"They are fed well, have clean, comfortable quarters and are not called upon to work when they are not physically able to do so."

Thirteen persons are employed by the penal system, including the warden and other paid employes at Cummins Farm, the negro institution.

Convicts Taken From "Traces" In Arkansas on Futrell's Order

The Thought of Men Taking Place of Mules on Cotton Planters Prompts Action

By The Associated Press

LITTLE ROCK, April 20.—The thought of men taking the place of mules led Governor Futrell to take prison farm convicts "out of the traces" of cotton planters today.

The mere pulling of a 100-pound planter, said the Governor, was not harmful to the convicts but "the thought that it is the work of a mule suggests that the practice be stopped."

Taken From Fields

He asked the state penal board to stop this method of planting and Prison Supt. A. G. Stedman took the convict-drawn planters out of the field in mid-day.

To speed up the planting of the huge prison cotton crop, Superintendent Stedman said that the men thus released probably would be put to work dropping the seed by hand. A shortage of mules to pull the planters caused him to resort to the substitution of convicts—six of them to each planter with a seventh between the handles.

Chairman Walter Helms of the penal board, after witnessing a demonstration at the prison farm yesterday, had upheld the superintendent in the view that the convicts were doing no harder work than they otherwise would be engaged in. But after getting the governor's request today, he said it "is believed to the best interest of all that the work be stopped."

Not Strenuous

"Anyone seeking the work being conducted," he added, "could not obtain the idea that the men were taking the place of a mule, as the work is not as strenuous as the pushing of a garden plow."

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Governor Unhitches 'Convict Mules' Used In Prison Farm Cotton Fields

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place of a mule, as the work is not as strenuous as the pushing of a garden plow."

The Governor sent his private secretary, H. G. McCall, along with Chairman Helms to see the convicts work and acted after receiving a report from both.

The disclosure of the practice brought front page editorial criticism from some of the State's newspapers, one of which said that "whether or not the work the 'human mules' at Tucker farm are being required to perform is 'inhuman' or not, it is unquestionably degrading, shameful, and one of the worst blows struck at the fair name of Arkansas in years."

Husky Convicts Pull Plows In Arkansas Cotton Fields

Mules Scarce, Penitentiary Officials Put Prisoners Between Traces

TUCKER PRISON FARM, ARK., April 18.—(AP)—Convicts are taking the places of mules to pull cotton planters on the Arkansas prison farms, it was disclosed today.

Prison Superintendent A. G. Stedman said 36 of the huskiest men on the farm have been "put in the traces" in an effort to get crops planted at the farms. A shortage of mules and a lack of funds with which to replace animals that have died, was given as the reason.

The prison superintendent confirmed the fact that men were drawing the planters after The Pine Bluff Commercial had published the disclosure today.

"Every mule we have on the farm is either unfit or sick and we don't have enough stock to get the crops in by the proper time," Stedman said. "The average age of our stock is more than 15 years, and some are dying almost every day.

"These men are husky and have raised no objection to doing the work," he explained. "A cotton planter weighs less than 100 pounds, the ground has been thoroughly pulverized and bedded twice, and it requires no great effort to pull it.

"The men are being worked only for a reasonable length of time each day, and certainly have shown no ill effects from the work, which requires no more exertion than work they would otherwise be doing."

Six men draw the planter, while another walks between the handles.

"These men are not receiving harsh treatment," the prison head declared. "They are being fed well, and are not working any harder than others here."

Superintendent Stedman said he had not consulted members of the State Penal Board before using the men. Members of the Board and Gov. J. M. Futrell were not available for comment tonight.

Stedman has had a stormy administration as superintendent of the system. Efforts made by some members of the Penal Board last year to oust him failed when Gov. Futrell refused to confirm action of the board. Under the State law at that time, it was necessary to have the Board's action ratified by the Governor.

As a result, W. N. Trulock, chairman, resigned.

A legislative committee investigated charges last January that Stedman was incompetent. At that time a rigid quarantine for spinal meningitis existed at the farm, and Stedman was unable to appear before the committee, which eventually reported back to the Legislature that it found no basis for the charges.

The Superintendent came under fire again a month ago when a trusty "life termer" sent to Fort Smith for prisoners allowed one to escape. Stedman was criticized by prosecuting Atty. Harrell Harper for allowing convicts serving terms for murder to act as trusties and travel over the State.

Earl Decker, the convict, received a 10-year sentence on the charge.

Cotton is the chief crop of the Arkansas prison farms which embrace about 17,000 acres.

The trusty guard system is used. The prison has only 13 employes.

All prisoners at the farm do work of some kind, clearing land, farming, raising truck crops for use here and at other State institutions, and canning.

OFFICIAL OF PRISON ENDS "PRIVATE PENS"

Mistreatment of Arkansas Prisoners on Parole Scored

LITTLE ROCK, Ark., June 1.—(AP)—Concluding an investigation into peonage conditions surrounding convicts who had been paroled, Supt. A. G. Stedman announced today that "private penitentiaries" had been abolished and hereafter strict inquiries would be made to see that paroled prisoners were not being mistreated.

Superintendent Stedman said he found many cases where farmers, following an old custom now abandoned, had gone to the prison and obtained prisoners on parole and virtually worked them in "private penitentiaries."

Usual Procedure

"The usual procedure," said Stedman, "was to get the prisoners out by giving bond for their safe return in case of misconduct. Then those who get the prisoners would work them throughout the crop season, and when the harvesting was done, call us to say the prisoners had got drunk or done something else. This would mean their paroles would be revoked, and they would have to be returned to prison, often without having received one dime for all their work.

"The meanest thing about the practice was that the prisoner, once his parole had been revoked, would have to serve out his full sentence as he was not eligible to further parole."

Stedman was bitter in his denunciation of the practice, and told of several cases he had investigated to find mistreatment of paroled prisoners.

BLOODSTAINS CAUSE HIJACKERS ARREST

Negro Had Robbed Salesman and Left Him for Dead

STUTTGART, Ark., Aug. 23.—Discovering blood stains in the automobile he was driving, local police today nabbed Luther Peters, negro, and wrung from him the confession that he "hijacked" a man in Louisiana Monday, stole his clothing, samples, money and automobile and left him for dead.

The man, Harve Livly, of Vanalstyne, Texas, was found lying in a ditch near Farmersville, La., where he had been thrown after having been slugged by the negro. He is recovering.

Chief of Police T. G. McCaslin of Stuttgart, said the negro was an ex-convict.

Futrell Orders This Practice Stopped in Arkansas

One of the eight "teams" of "human mules" which have been used at the Arkansas prison farm at Tucker to plant cotton is shown here. Grady McCall, at the left in the business suit, private secretary to Governor Futrell, looks on as the mile-long rows the men have to traverse. Governor Futrell ordered the practice discontinued yesterday after a report by McCall.

Crime - 1934

Bermuda

Negro Woman Is Hanged For Murder in Bermuda

HAMILTON, Bermuda, June 25. (AP)—Bermuda's hatchet murderess, Martha Annette Otterbridge, negro was hanged today, the first woman to be executed on this island in more than two centuries.

She had killed her lover, Herbert Leslie Lambert, in April, chopping him to death with an ax. Doctors counted 11[illegible] wounds on his body, any one of a dozen of which might have been fatal.

She was the first woman to be hanged here since 1719. It has been 21 years since an execution of any kind was carried out here. On the last occasion, in 1913, the murderer was a man, and his victim was a brother of the woman hanged today.

Crime – 1934

California.

LEGIONNAIRE BEATEN BY POLICE

World

West Coast Aroused Over Mishap to Ex-Soldier

MAY LOSE SIGHT

LOS ANGELES (WS) —One of the most inconsiderate and uncalled for cases of police brutality was experienced here last Wednesday night when Fred Davis, 50 year old member of the Ben Bowie Post of the American Legion, was assaulted while enroute to the Ross Snyder Playground where his mate were holding drill team practice.

He was halfway from his home at 2312 Compton Avenue when the police accosted him while carrying a rifle. They asked him about it and when the veteran ha dexplained two of them began beating him. One of the men hit him over the eyeball with a hard instrument and he may lose the sight of that member. Doctors took three stitches in the injumber body and if he does not lose the sight, he will be forced to wear glasses.

The case has caused an uproar in Legion circles and officials redress for this blatant denial of human rights is being sought. It was believed that the American Legion would protest the action of the police, but later information is that a citizens' committee would be appointed to clear up the matter.

Members of the drill team were highly indignant at the summary treatment handed to one of their members. They visited the Newton Street Police station soon after the matter was brought to their attention and were met by a representative of the Central Division who was sent out as soon as the matter was reported. With their drawn rifles the men were finally convinced that the proper way to handle the matter would be through the regular police channels. It has been reported that the two police men who assaulted Davis were arrested for their action but were freed the next morning.

Davis was formerly in the Tenth Calvary where he spent 18 years without any kind of a blemish on his record. He was discharged in 1925 and has been employed in Los Angeles every since that time. He has never been arrested in this city and has a reputation of being a law abiding citizen.

According to a statement of a leading Legionairre the matter will be placed in the hands of a citizen's committee and mass pressure will be brought against the police authorities for this action of these officers. Police brutality has been practiced against Eastside citizens for many months and the local branch of the NAACP has protested against it.

LOS ANGELES NEGROES ARE COMPLAINANTS

Call

Citizens Protest Cruelties of Two Officers Before Board

11-30-34

By Fay M. Jackson

LOS ANGELES.—Hurling sensational charges of continued police brutalities committed against citizens in the Central avenue district, a council of civic welfare organizations met with the police trial board Wednesday morning, Nov. 21, to bring before that body the specific case of Fred M. Davis, war veteran, who was attacked and severely beaten October 10 by two Metropolitan officers while he was on his way to the Legion drill practice.

Kansas City Call

The board took the case under advisement until Wednesday, Nov. 28, when it expected to make a final report of charges against the officers to the police commission.

Representing local and national organizations for civic betterment were the following Negro citizens who met with the board: George A. Beavers, California Cooperative Improvement association; Dr. H. C. Hudson, N. A. A. C. P.; James W. McGregor, Los Angeles Civic league; Rev N. H. Humphrey, Ministerial alliance; Norman O. Houston, American Legion; A. Hardiwick, Urban league; Rev. Arthur Johnson, chaplain of the Legion and a prominent Baptist minister of the city; George A. Burleson, American Legion; Attorney Ivan Johnson and many others.

100 Officers Testify

Approximately 100 police officers from Newton street station and the Metropolitan force were called in to testify and lend possible "moral" support to the defendants.

Declaring that Davis was drunk, hostile, abusive and had pointed his rifle at the officers," witnesses for the defense consumed several hours in an attempt to prove that the officers acted within their rights. Davis was also charged with having a police record for thefts and burglaries.

Davis had no eye witnesses to the attack but Norman Houston, spokesman for the civic group, built up a brilliant case against the officers through cross examination which broke down completely most of their testimony.

Inferences were made to give the impression that Davis might have intended holding up a warehouse in the district where the officers accosted him, since considerable play was given to his past record. Likewise his alleged "drunkenness" tended to prejudice the case.

Full Protection Sought

With George Burleson and the captain of the drill team, on the stand, Houston drew from them statements denying Davis' intoxication. These men saw him at the Legion meeting following the altercation and detected no evidence of liquor on his breath. Veiled attempts to suggest a possible riot by Legionaires accompanying Davis back to the Newton station to file complaints against the officers were also made by the defense witnesses.

Gregg A. Beavers, chairman of the group said, in part: "It is very difficult to prove any case against police officers before the board of police commissioners. However, we are determined to fight brutality and other intolerable conditions in the police department until we will receive full protection to the extent that citizens of the east side will receive full protection of the law.

"In Davis' case, we are not concerned about the past record of the individual nor his station in life, but we are concerned about the alleged unwarranted attack by the police officers on a private citizen. Such attacks could be made upon any other citizen in the same manner if same were allowed to go unchallenged."

Delaware

Crime – 1934

MORE NEGROES THAN WHITES ARE BEATEN

Only State In Union With Whipping Post

12-5-34

WILMINGTON, Del., (ANP)—Delaware is the only state in the Union which recognizes flogging as legal punishment for certain crimes. Although Negroes are only a small percentage of the population of the state, they lead among those who are given the lash. The folowing table shows the number of Negroes and whites whipped in the last six years:

'29-6w, 28c; '30-4w, 28c; '31-7w, 35c; '32-7w, 20c; '33-1w, 14c; '34-7w, 11c.

The claim is made that the high percentage of Negroes does not represent personal feeling of the judges, but that Negroes constitute the majority of those arrested for crimes punishable by the lash.

Punishment ranges from 10 to 40 lashes "laid on well."

WILMINGTON, DEL.
JOURNAL—EVERY EVENING

DEC 10 1934

Contrast Between Delaware's First Law Code And the New One Proves an Interesting Study

If George Read could be brought back to earth and if he could take a seat in the coming session of the General Assembly he would be startled at the contrast between the legislation of his times and that of this day and age.

George Read, who, by action of the General Assembly on February 3, 1787, revised and prepared for publication the laws of the State, would discover a marked change in the social order and the conduct of the State's business.

His revision of the laws, dating from October 14, 1700, until August 18, 1797, comprised two volumes, or 1,376 pages, exclusive of appendices, Federal and State Constitutions, etc. They are known as Volumes 1 and 2 of the Laws of Delaware. In those days that comprised a substantial amount of law.

But, if Mr. Read would be present at the opening of the next Legislature and would witness the introduction of the massive 1935 Revised Code, which will require about a week's continuous reading in each house, he would realize that his job was not so terribly difficult, after all.

And, then, if he gazed through the code and sat by and listened to the introduction of new bills throughout the session, he would be befuddled by motor vehicle bills, aviation legislation, lengthy charter measures, etc., that he would hear read.

Class Legislation Enacted

Ideas on legislation in his days were not quite similar to those of today. There is evidence of class legislation in the first two volumes of the State's laws. For instance, a law enacted in 1772 to establish a market in Newark, provided that any meat found too poor or lean for sale, shall be forfeited "to the use of the poor of Whiteclaycreek hundred." The two volumes also contain many laws in connection with Negroes and slaves. There is "An Act for the Trial of Negroes," "An Act for the Better Regulation of Servants and Slaves within This Government," and various acts to permit persons to bring slaves into Delaware from other States.

Mr. Read would be shocked to find that the laws of today fail to provide for pillories or branding. Anyone convicted of murder, under the laws of 1719 would be branded with an "M" on the brawn of the thumb, and for any other felony, with a "T." A person convicted of being drunk would stand in the stocks for two hours in forfeiture of a fine of five shillings. A person convicted of cursing or swearing would stand in the stocks for not exceeding three hours, in forfeiture of a five-shilling fine. There were many other offenses for which standing in the pillory was part of the penalty.

The Death Penalty

The death penalty offenses in Mr. Read's time were quite interesting. Among the crimes for which the death sentence could be imposed under the law of 1719, was the following:

"If any person or persons on purpose and of malice aforethought, and by lying in wait, shall unlawfully cut out, or disable the tongue, put out an eye, slit the nose, cut off the nose or lip, or cut off or disable any limbs or members of any of the King's subjects, with intention in so doing, to maim or disfigure in any of the manners before-mentioned, such of his Majesty's subjects; that then and there, in every such case, the person or persons so offending their counsellors, aiders and abettors, knowing of and privy to the offense as aforesaid, shall suffer death, as in cases of felony, without benefit of clergy."

A provision was made in the 1719 law that any person "convicted of breaking and entering into a dwelling house in the night time, with intent to kill some reasonable creature or to commit some other felony within the same house, whether the felonious intent was executed or not, would suffer death."

Another section of the same law provided: "That if any person or persons shall receive, harbour or conceal any of the said robbers or burglars, felons or thieves, or shall receive or buy any goods or chattels that shall be feloniously taken or stolen by any such robbers or burglars, felons or thieves, knowing the same to be stolen, and being so, as aforesaid, convicted of either of the said offenses, if he or they pray to have the benefit of clergy, judgement of death shall not be given against them upon such conviction, nor execution awarded upon any outlawry for such offense, but they shall be burned in their hands, in manner as hereinafter directed."

Saved By Prayer

A woman, convicted of a felony that would subject the offender to death could have the benefit of clergy and would be burned in the hand, and would be subject to imprisonment of not more than one year. However, this benefit could not be obtained more than once.

Mr. Read would look on in amazement at the appropriation of millions of dollars for State expenditures, as compared with the small allowances in the Eighteenth Century. The vast school fund of today would be another source of amazement to him.

Laws were passed for the establishing of roads, but the sound highway system of today was not dreamed of in Mr. Read's day. The dual highway would be an "eye-opener" to him.

The early Delawareans apparently looked forward to the day when this State would have two members of the National House of Representatives, for a law was enacted in 1794 which stated, in part, that "whereas this State shall be entitled to two Representatives in the Congress of the United States," shall be delivered on one ticket or one piece of paper.

Oh How Things Have Changed

Mr. Read would also learn a few lessons concerning the selection of legislative attaches, their duties, and their fees. Clerks of the Senate and House received 50 cents for reading every petition of a private nature, 50 cents for copying every petition, 23 cents for copying every order of the House in private matters, and for each certificate; one cent per line for copy-

of any papers filed in the House, when required to 12 words to a line; seven cents for the certificate thereto; seven cents for each search in private matters; two cents per line of 12 words for engrossing a bill; and for every day's attendance as a clerk, received $1 for each day's attendance on a person, where compensation was paid $1 for serving every transcribing, etc., "two dollars per day, and no more." The sergeant-at-arms was paid $1 for serving any person into custody; order, 33 cents for taking one mile, two cents going and the traveling charges per mile, 6 cents for every day's attendance committed. The doorkeepers same returning, and 26 cents each day. The bell ringer received 33 cents each day. ance on a person, where committed. The doorkeepers received $1 for each day's attendance. The bell ringer of the General Assembly received 33 cents each day. Acts providing for lotteries with which to raise funds for public purposes were common in Mr. Read's day.

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Negroes Lead Among Those Whipped In Delaware

Globe and Independent 12-28-34 Nashville, Tenn.

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	29	30	31	32	33	34
Color						
White	6	4	9	7	1	7
Colored	28	28	35	20	14	11

The claim is made that the high percentage of Negroes does not represent personal feeling of the judges, but that Negroes constitute the majority of those arrested for crimes punishable by the lash.

Punishment ranges from 10 to 40 lashes, "laid on well."

Crime-1934

D.C.

Subduing Prisoners

Subduing prisoners seems to be a favorite pastime among many of the white policemen of the District here of late. A cop can beat a man or woman almost to death and merely state that he had to "subdue" the prisoner in making the arrest and that is the end of it as far as the policeman is concerned.

The "subdued" man or woman not only has a sore head and body, but quite often a doctor's bill and a stiff fine for "resisting arrest" or "assaulting an officer."

Last week a white cop "subdued" two women and shot one of the women's dog while the animal was muzzled and on a leash. This week a man "subdued" had his eye almost knocked out and his head and body beaten while "assaulting an officer."

There are some decent policemen on the force, but there are many more who are crackers from Virginia and the south who take advantage of colored persons and curse them for no reason and when the really assaulted person objects or tell the cop where to go, these bullies take the law into their own hands and proceed to beat and maul citizens and call it "subduing" them.

A long suffering group will not much longer submit to this brutal treatment at the hands of these lawbreakers in uniforms.

Crime - 1934

Florida

ORLANDO, FLA.
SENTINEL

MAY 10 1934

A State Police Force

FLORIDA IS SHOWING encouraging signs of administrative efficiency.

A flood of correspondence from all parts of the state, complaining of lax enforcement of laws, has spurred the governor into action.

This week he showed rare initiative by stepping into the breach and by sheer force of his office commandeering inspectors of three different bureaus. These he will wield into a compact unit with the hope of developing a state police system.

Inspectors of the road department, the motor vehicle department and the railroad commission are now members of this new bureau. Instead of gangling about the state on unimportant little details, this force will be turned and polished into something resembling a band of go-getting, hard-hitting investigators.

Unified and centrally-controlled by the governor's office, there is no reason why these inspectors cannot continue their usual duties and gradually assume greater and more serviceable responsibility.

* * *

FLORIDA, A HAVEN for vacationists, naturally attracts along with some of the best people in America, its comparative quota of men and women of easy virtue.

We have had a surprising number of these people in Orlando this winter.

As a matter of fact, our gambling halls have increased with the return of prosperity from one to three.

The slot machine racket, outlawed last year, came back with new model machines, which did not extract any less money from a gullible public.

We have the spectacle of one of our casinos being high-jacked of some $6,000. There is a report that a competing gambling outfit, losing heavily at this place, simply walked in and at the point of guns, turned losses into profits.

There are other displeasing reports and rumors about crime and criminals. We hear one of our well-known local gamblers is in dread that he will be "taken for a ride" by one of his contemporaries.

We are told that a so-called "fence" is operating on the Winter Garden road, where stolen property is hidden away and disposed of; that at one time this winter two machine guns were cached there.

In discussing these reports with an officer of the law in Winter Park we were frankly told that a machine gun was hidden in that cultural center this past winter, that the contraption went off while being cleaned and wounded a man.

* * *

EXPERIENCED AS A reporter working with policemen and sheriff's officers over a period of years, we can understand why these conditions are not quickly and adequately handled by local officers.

In the first place, the local men are known. Secondly, their time is occupied by many trifling details. Third, some of them may tell you they were not hired at $150 a month to look into the eye of a machine gun; that furthermore they have not the authority or the orders to clean out some of our eye-sores.

These statements are not made as a defense of local peace officers any more than the reports of prevalent crime are given to criticize local officers. They do reveal a need for a state police organization.

We have observed the work of state troopers in New Jersey and of state rangers in Texas. We are particularly impressed with the latter unit of law enforcement.

A story typical of the handful of men who keep the peace of six million people out in Texas, who are every ready to assist or act instead of a sheriff, is this one:

In a small West Texas town a negro had been jailed, charged with an atrocious crime. A mob was forming and threatened to storm the jail. As there was no evidence other than circumstantial, the mayor wished to preserve peace. He wired the governor, asking that a company of state rangers be rushed out at once.

The governor located a lone ranger, nearest the scene of trouble and ordered him to board a train.

When the train pulled into the station late that afternoon, all the populace, including the mob, was on hand.

To their surprise only one man alighted from the train.

The mayor, thinking there must have been some mistake, accosted the lone individual.

"You don't mean to tell me that you're the only ranger the governor sent out here, do you?" he asked.

"Well, you've only got one mob, haven't you?"

That true story is typical of the reputation of state police of one state.

* * *

NOW THAT FLORIDA has begun to organize such a constabulary, this is the time to properly lay the foundation for a service equally as famous as the Texas rangers.

To do this, the state police, by all means, should be put under civil service. Employ capable men and guarantee to them that an incoming political machine will not kick them out. If we do this we will attract the best material for such an important agency of public service.

TALLAHASSEE, FLA.
DEMOCRAT

JUN 25 1934

Old Zack Goes To the Penitentiary

Larkin Cleveland delights in telling in his newspaper about the misfortunes of an old negro living in his neighborhood—DeFuniak Springs.

Zack Palmore fell afoul of the law. In federal court the old negro admitted he had accepted money to send luck to "patients" by mail. He was sentenced to three years in Atlanta's federal penitentiary, the charge being use of the mails to defraud.

Cleveland, "cracker" and chitlin editor of the DeFuniak Herald, tells the story as follows:

If this issue of The Herald had carried the announcement that John Dillinger and his gang had robbed both of the local banks it might have created a mild ripple of excitement for a little while. If we had stated that half a dozen deacons and eleven elders had been seen joy-riding with as many lipsticked flappers, it might have furnished conversational material for scandal-mongers for a blissful hour or two. Had we stated that a half-dozen prominent citizens had stabbed their wives with boiled carrots and choked their children to death with noodle soup, it would have been "small news" in comparison with the statement that Zack Palmore has been sent to the federal penitentiary at Atlanta for a term of three years.

Zack is the guide and scull artist who has during the past twenty years piloted the editor of this paper and hundreds of other fishermen over the rivers, creeks, sloughs, lakes and bayous of West Florida. He could scull a boat up a bullace vine and cook a fish dinner that would make the mummy of Pharaoh sit up and take nourishment.

Darn the confounded luck!

We learn that Zack may get a parole at the end of a year, and the first thing we expect to do when he returns is to beat seven kinds of fire out of him for having no better sense than to get mixed up in this mess.

Senator Trammell complains that this is the third time Claude Pepper has run for office in seven years. And it looks like the last time for six years. —Fort Myers News-Press.

Florida

Crime - 1934

TAMPA, FLA.
TRIBUNE

JUN 23 1934

CHARGES "BLOCKING JUSTICE"

PLANT CITY.—Last August, nearly a year ago, a negro, J. M. Adams, came into my business establishment in Plant City, broke a bottle over my head, and then drew a pistol and tried to shoot me. Fortunately I was able to hold the muzzle of the pistol away from me until Mr. Kirkland, a local policeman, arrived on the scene, disarmed the negro and arrested him.

This attack occurred on Saturday. I went to Tampa on Monday and obtained a county warrant for Adams' arrest.

After waiting several weeks for the preliminary hearing I went to the County Judge's office and was told by Judge Cornelius that Solicitor Givens would not prosecute the case and it would therefore be useless for him to bind the negro over to Criminal Court.

Givens has repeatedly refused to see me in his office, always making excuses of being too busy. He has never set forth any reason for not allowing this case to come to trial.

If this is the type of State Attorney Hillsborough County must have, citizens would be far better off with none at all. This man, paid and elected to prosecute criminals and deal justice, is or was blocking justice. He whimpers like a spoiled child that he has been imposed upon and thus plays upon the sympathy of the voters for re-election. Any man twice elected to an office and fired out of it both times deserves no sympathy whatever.

J. A. ESKRIDGE.

Miami, Fla., News
September 8, 1934

HERNDON HELD IN GUN DEATH

Grand Jury Charges Him With Fatal Shooting of Charles

Indictments charging capital crimes were returned against Riley Herndon, 29, former deputy constable; Walter (Dock) Williams, negro ex-convict, held for offenses against white people, and five negroes held for crimes against their own race, yesterday by a Dade county grand jury.

Following the report of the jury, it was recessed by order of Circuit Judge Worth W. Trammell until the further call of the court.

Herndon is charged with the slaying of John Watson Charles on May 19, a triple shooting in which Herndon himself and Mrs. Charles were also wounded. The tragedy occurred at 719 N. W. 12th st., in the garage apartment home of the Charleses. Authorities believe the Charles couple were attacked by Herndon, as they lay sleeping, because of Herndon's jealousy growing out of the marriage of the couple the week before in Jacksonville.

Williams, 32, was indicted Wednesday on four charges of attacking white women. One of the two indictments returned against him yesterday is for assault with intent to kill on Dr. Frank L. Keeler, 2772 N. W. 14th st. The other charges him with attempting to attack a white woman. His trial on the former charges has been set for 10 a. m. Monday.

Three of the other negroes who were indicted are Frank Parrish, charged with a statutory offense; William Mitchell, charged with killing Mildred Wilkinson on July 18, and Lucinda Jones, charged with slaying Cornell Berry on Aug. 8. Because the other two negroes are still at large, their names are withheld.

SUN

Miami Beach, Fla.

OCT 5 1934

THE NIGGER SITUATION

(EDITORIAL)

MIAMI BEACH at the present time is being infested with a lot of no account loafing and prowling niggers that are not doing the city any good. Nigger jitney bus drivers almost "own the town," and nigger caretakers are occupying palatial north Beach estates.

The police department is not entirely to blame for this deplorable situation. A shortage of men during the summer has greatly handicapped the whole department, but as the season approaches it seems that something ought to be done to put the niggers in their places.

There is not an hour in the day that niggers are not prowling all over the Beach. They boldly ask white people for rides across the causeway. They have no jobs and want none. Prowling is their business, and usually they go back to town with more than they came over with.

Nigger jitney bus drivers can not be controlled. Police have learned this. A nigger at the wheel of an automobile knows no law. Speed limits mean nothing to him. The licensed buses are in the minority. Every nigger with an automobile makes a trip to the Beach sometime during the day. They haul passengers without a license. The licensed buses overload their cars. They drive recklessly, pay no attention to stop signs. Load and unload where they please, ignore their designated route and drive all over the city . . . and they'll continue to do so whenever no policeman is watching them.

Police were called on two occasions this summer to quiet a disturbance at the home of one of Miami Beach's most prominent citizens. Niggers were occupying the mansion day and night during the owner's absence. Why the police didn't kick 'em out and run 'em off the Beach is just another mystery, but they simply quieted the niggers

Macon, Ga. News
December 27, 1934

There's Always Hope

A Negro by the name of Jim Williams, down in Putnam County, Florida, has the best reason in the world to realize that as long as life there is hope.

The state pardon board has just ordered that Jim shall be set free and if he has any friends or relatives to welcome him back into the world he will probably celebrate the most joyous Christmas he has had since May 10, 1926.

On that date he was sentenced to death in the electric chair for having killed his wife. But when the date of his execution arrived, nobody was willing to throw the switch. Jim went through all the preliminaries of a good breakfast and spiritual consolation. He then sat down in the electric chair and there he sat for ten minutes because prison officials could not decide whose duty it was to carry out the execution. The prison superintendent insisted that he was not the public executioner and the sheriff declared that it was none of his business.

At the end of that little eternity of ten minutes Jim was taken from the death chair and returned to a prison cell. The time for his execution had passed and he could not legally be put to death. The state prison board, probably feeling that Jim had already suffered death many times over in that ten minutes, commuted his sentence to life imprisonment and now he is to go free in a world that is merry with all the sights and sounds of the Christmas holidays.

Approaching the moral from a different angle, it is a known fact that a brilliant young man living in New York twenty odd years ago became depressed to the point of desperation and on the darkest night of the year went down to the docks to drown all his troubles in the Hudson river. But as he stood there, thinking himself alone, there suddenly came out of the darkness a voice which repeated the cheerful little nonsense verse of Robert Louis Stephenson; "The world is so full of a number of things
I am sure we should all be as happy as kings."

The young man turned back with new determination. He got a job, became the editor of one of the great New York magazines, married an heiress and died full of years of honors with all the luxuries that life could afford.

Perhaps it sounds a little melodramatic, but it is all true.

Taking his case along with that of Jim Williams, we have some pretty

strong evidence that as long as life there is hope.

MIAMI, FLA.
NEWS

DEC 21 1934

Too Fast?

Two young white men from Indianapolis confess holding up a Miami filling station, obtaining $12 in the robbery. An hour later they come into criminal court. A young South Miami negro has just been sentenced to 10 years for robbing a 15-year-old white boy of 50 cents. The holdup men plead guilty and are sentenced to one year each. Speedy work, indeed! In the hour that elapsed between confession and sentence, did the authorities have time to learn the record of these men from the North? Or had they determined previously that these men were "first offenders" entitled to a sentence only a tenth as long as that of the young negro who took 50 cents? The usual complaint is that too long a time is required for the processes of prosecution. Can it be that occasionally these "wheels of justice" move too fast?

ORLANDO, FLA.
SENTINEL

DEC 21 1934

How to Save $20,000

COUNTY SOLICITOR RAYMOND Ellars, who made $4,600 under the fee system last year, writes a letter to Sen. Walter W. Rose, Reprs. Banks and Ward, appealing to these Orange county law-makers to reduce his salary from a prospective $4,600 on the fee basis to $3,600 on a salary basis.

Taxpayers who have grown accustomed to carefully analyzing all suggestions which come from any office holder, probably will ask: *"Where is the nigger in the woodpile?"*

That's the question this editor put to Mr. Ellars after reading in the newspaper of his proposal.

Believe it of not, according to Mr. Ellars and according to our own version of this offer, the woodpile is free of jokers.

* * *

THE SOLICITOR MUST not be bargaining for political sympathy as he has been re-elected for a four-year term beginning next July. This, therefore, is not *his* particular reason for playing politics.

This is the way the present system works:

When a negro is arrested for gambling at Clarcona, several miles from Orlando, it costs the county these fees, whether or not he is convicted:

Sheriff's department, according to mileage	$4 to $6
Justice of the peace	$4 to $5
Clerk of the court	$3.81
County solicitor (if convicted)	$5.00

In other words, it costs Orange county from $7 to $25 to arrest and bring to court a negro who has violated our gambling laws, stolen a chicken or otherwise committed some misdemeanor. And the expense accrues whether or not the negro is convicted.

This cost is excessive simply because of the pernicious fee system which provides the only payment for services to most of these officers. It forces arrests in order that an officer may live.

In other words, the county solicitor himself would not make a living out of his job if he were not enterprising and aggressive in prosecuting these minor offenses along with the major.

However, if the solicitor were guaranteed a living wage, it would be probable that he would refuse to file bills of information against many of these minor cases. There are hundreds of cases, for instance, handled annually by the criminal court of record ***which should be disposed of in the city police court.***

There being no fees to be paid and no money to be made by any officer in the city hall, courthouse attaches naturally are glad to get them and the money that goes with their cases.

A simple explanation of the cost of our fee system in Orange county could be made in this manner.

If the city hall operated its police court on a fee system similar to that in vogue at the courthouse, city taxes would be $20,000 higher a year.

* * *

AS WE HAVE said, this is a very unusual request of Mr. Ellars'.

So unique that most people who hear it will become skittish, and shy away from it.

But let us give the devil his due and concede that the law of averages should give us at least one honest public official who is sincerely convinced of the evils of the fee system.

Crime - 1934

Who Does the Stealing?

It is frequently argued that education will lift people up to a higher spiritual plane where they may know right from wrong, and appreciate better the difference between "mine and thine", but the lowly have not monopolized the front page criminal news recently.

Three students have been expelled from Chapel Hill, because they stole from their fellow-students to get money to help them get through the University of North Carolina.

Five Macon boys, ranging in age between 14 and 17, have been caught in a regular system of stealing automobiles, presumably for joy rides; but they are in deep trouble just the same.

Washington Memorial library has to do constant spying to keep school children from stealing the pages out of valued reference books, many acts of such vandalism having already put the management of the library in deep grief.

The son of a fine mother has been attending church to get a chance to steal purses or rob the offices in the church; not for selfish reasons; not because he needed anything—he simply wanted to buy nice presents for friends or people he admired.

In the realm of murder, the recent outstanding cases involved high-standing, highly educated female doctors—Mrs. Wynecoop and Mrs. Sarah Ruth Dean.

The high-born as well as the lowly are proving that culture, good homes, fine social standing, education—even wealth—all of these things do not insure sound and wholesome or honorable living. Two schools of thought contend with each other over the question of heredity and of environment. Those who blame environment and insist that heredity has nothing to do with criminality will say that people make their own environment to a great extent. The books and papers or magazines they read, the type of reading—the things that interest them—create their environment even more perhaps than the houses in which they live or the people with whom they come in contact. They claim also that the most blue-blooded can sink as deep in sin as the commonest gutter trash, if environment is of a criminal tendency.

Many other students of the subject believe that heredity has much to do with criminal instincts, and that if people from stock steeped in sin for two or more generations are subjected to the sterilization laws, such instincts can be made to disappear. This plan presupposes that like begets like. Some strong arguments are presented on each side of the question, leading a third group of thinkers to conclude that both heredity and environment influence the criminally inclined.

Who can say positively which is the correct theory? Strange as it may seem, the question of crime causes is as poorly understood today as if it had not been perplexing humanity since the Garden of Eden. If education can solve the problem, the crime cases referred to above would tend to prove that a different kind of education is needed.

OUR HOMICIDE RECORD.

As has been the case in previous years, southern cities are shown in compilations recently released to have led the country in 1933 in the number of homicides per 100,000 population, Atlanta ranking fifth among all the cities of the country, as against second for 1932.

Despite the decrease in rank, with four instead of one city having a worse record in the number of violent killings, murders increased in Atlanta from 122, or 39.7 per 100,000 population, in 1932, to 154, or 47.6 per 100,000, during 1933.

Chicago, almost 10 times as large as Atlanta, and with the worst crime conditions in the country, has only three times as many homicides, her rate being only 14.2 per 100,000 population. Such cities as New York, Los Angeles, Detroit and Philadelphia all have rates of approximately 7 per 100,000, which is also the rate of most of the cities of Atlanta's size in the country. The average for the country is 10.7.

Further illustration of the extent to which life is violently taken in the United States is shown by the fact that the homicides in the 14 largest cities of Canada, with a combined population of 2,750,000, totaled less than a third of those in Atlanta alone.

The predominance of homicides in the south as against the other sections of the country is attributable to the large negro population in this section, but the murders committed in every class of our population are a humiliating indication of the lack of respect for law and for its enforcement agencies in the United States as compared to that existing in other well-governed countries.

Back of this record, and largely responsible for the willingness of so large a per cent of our people to take the law into their own hands, is the inefficiency of our courts, and the long delays marking the administration of justice.

When a man commits murder in England, or any of its dominions, or in the continental European nations, he finds the road to the gallows or the guillotine a short and certain one. Just the opposite is true in this country.

When the processes of our courts are speeded up, we will see a sharp falling off in homicides, and in all other types of crime, but it is useless to expect it under present conditions.

Turning from the acts of the criminals to those of the law, Raymond Moley last week announced that he will soon hand in to the President his report on criminal law enforcement which he has been preparing ever since he undertook the task last fall. His recommendations will cover necessary changes in Federal laws, executive reorganization and methods of cooperation with State and local authorities.

The Federal Attorney-General, Homer S. Cummings, last week addressed the Daughters of the American Revolution in Washington and outlined to them the twelve-point legislative program which the Department of Justice is urging on Congress. The main idea is to strengthen the arm of the Federal Government and to encourage cooperation between the Federal Government and the States and between State and State.

Thirty separate bills to accomplish such ends have been drafted in Congress.

Progress in the Conquest of Crime

Decrease in Homicides, Robberies, and Other Criminal Activities Noted, as Plans to Strengthen Arm of Federal Government Are Made

It is cheering to discover signs of a let-up in the advance of the crime wave at the very time when the Federal Government's fight on crime gathers momentum.

There have been many attempts to estimate the effect of the depression on crime. New York City's new Police Commissioner Gen. John F. O'Ryan, came out the other day with figures showing that in 1933, with the beginnings of economic recovery, crimes and violence in New York declined 8 per cent. from the previous year and homicides 10 per cent. In 1933 there were 431 homicides as compared with 478 in 1932. Burglaries dropped from 2,417 to 2,276 and cases of grand larceny from 13,468 to 10,548. Automobile thefts were much less frequent, decreasing from 8,910 to 6,991.

What does this prove about the relationship between crime and the depression? The New York *Times* reflected:

"It is permissible to see in these figures the effects of economic recovery. By the homicide test it can be made out that hard times and crime go together. Between 1928 and 1930 the number of murders recorded in the police reports were exactly the same in two years, 373, and the other year they were 377. But in 1931 there was a jump to 431 and in 1932 went up to 478. Last year's better showing leaves us still noticeably worse off than before 1930.

Prosperity and Crime

"However, for a longer period it is arguable that excessive prosperity is as bad for homicide as severe depression. For a number of years before 1928 the murder figures were down to an annual average of 300, which compared favorably with a range up to 700 or 800 in the first decade of the century. But in 1928, the big year of the bull market, there was a jump of nearly a hundred murders. From this new level the depression brought another rise."

Another cheerful note came last week from a committee of the American Bankers Association reporting a more than 50 per cent. decrease in bank robberies since the last check-up, but the explanation was offered that because of the bank holiday there were "three or four thousand less banks in the country to raid and burglarize." But it is bad enough. In the six months ending with February the sum of $1,257,700 was taken by bank robbers with the accompaniment of 110 casualties including thirty-seven killings. Worthy of note was the fact that by far the great majority of the bank robberies took place in small communities.

Their main purpose is to check the activities of criminals who cross State lines. Senator Royal S. Copeland (Democrat) of New York, is chiefly responsible for these measures. He heads a committee which has been active for ten months and has already held exhaustive inquiries in and around Chicago, Detroit, and New York City. This committee has been trying to develop methods of combating the racketeer and has been cooperating with various private crime-fighting organizations.

Press correspondents believe that after

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Mr. Moley presents his report th

Press correspondents believe that after

HOUSTON, TEX.
POST

APR 23 1934

Murder In the South

EVERY TIME the Nation's homicide record is published, the South is shown in a manner to cause it to hang its head in shame. The lamentable disclosures are repeatedly made that, in proportion to population, there is more crime in our Southern cities than in such widely advertised crime capitals as Chicago, Kansas City and New York.

Memphis, New Orleans, Houston, and other Southern cities have far more killings per 100,000 of the population than have Cleveland, Toledo, Indianapolis St. Louis or other Midwestern cities.

Aroused by the record of the South in this particular, the Atlanta Constitution undertakes to explain why Southern cities are so near the top in the percentage of killings to the population. The Constitution says:

"The predominance of homicides in the South as against the other sections of the country is attributable to the large negro population in this section, but the murders committed in every class of our population are a humiliating indication of the lack of respect for law and for its enforcement agencies in the United States as compared to that existing in other well-governed countries.

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WILMINGTON, N. C.
STAR

FEB 16 1934

ADDITIONAL SCOPE NEEDED

FROM Savannah comes the following from the Right Rev. FREDERICK REESE, Episcopal Bishop of Georgia:

"To the Editor:

"The enclosed statement concerning the treatment of prisoners signed by sixty eminent religious leaders of the South is of so much public importance that I hope you can print it in full."

And an enclosure, from which this is an excerpt:

"Specifically, we offer the following platform of principles, now well established in dealing with crime, as a guide for the treatment of offenders. We ask all citizens to ponder them long and deeply:

"1. The consistent object and guiding principle in handling prisoners should be the protection of society by the reclamation of the criminal. It is to the interest of society that this shall be done, since the criminal will return after a while to society.

"2. Imprisonment, while necessary under present conditions, is degrading to the prisoner and his family and costly to the taxpayer. A large percentage of all convicted persons might be safely paroled under the care of trained probation officers, at great economy to the state and advantage to the prisoner. Slightly over one-half of all Federal prisoners are now out on parole under probation officers. The indeterminate sentence and suspended sentence are a necessary part of a progressive penal code.

"3. A trained probation officer is needed in every state in the South. It should be organized on a country-wide basis with a state supervisory bureau. Every criminal court should have the service of such officers, women as well as men, and there should be colored officers, trained for the purpose in colored schools, to deal with colored offenders.

"4. Juvenile offenders, at least to the age of 16 and preferably 18, should not be imprisoned or brought before courts having criminal jurisdiction, but before juvenile courts where the procedure is not criminal but is based upon social treatment, and where the delinquent is placed under the care of probation officers. This should apply to both white and colored delinquents.

"5. Women should be segregated from men, and first offenders from experienced criminals. Women prisoners should always be under the care of officials of their own sex.

"6. White and colored prisoners should be treated with impartial justice and by the same methods.

"7. Every prisoner, upon sentence, should be studied individually, by competent persons as to the history, education, skill, health and mental condition; and the treatment he receives and the methods used for his improvement should be based upon these findings.

"8. The method of parole should be used as soon as the prisoner is in condition to be restored to his freedom. For his own protection as well as for the protection of society, he should be released under the care of a probation officer. He should be received by society sympathetically and given a chance when he is released, and should have money from his own earnings while in prison. Only those who cannot be safely returned to society should be kept in longtime custody.

"9. Road and field work under proper conditions is wholesome and desirable, but the chain gang should be abolished. All leasing of prisoners to private corporations should be ended. Prisoners should work reasonable hours under state instead of county direction and control, and should receive wages for themselves and their dependents, and should be protectd by workmen's compensation.

"10. Prisoners who know trades should be taught trades, when possible, while in prison. Those who are illiterate should receive at least elementary education.

"11. All prisoners should be well fed on a balanced diet, safely housed under sanitary conditions, and protected against sickness, accident and disease. There should be no object or occasion left for any official to make money out of arrests, convictions, supplies and contracts.

"12. All jails and prisons should be studied and frequently inspected by the state authorities as to their safety, sanitary conditions and suitableness for the purpose of reclaiming the prisoner; and as rapidly as possible improper buildings should be replaced by modern structures built in accordance with the most approved methods. County jails should be consolidated into larger units, a few for a state and placed outside of cities.

"13. Control of prisons and jails and of all prisoners and persons awaiting trial should be taken out of politics, and placed under the supervision of non-partisan boards and trained officials and guards. Prisoners should never be used as guards.

"14. Great attention should be given to the moral and spiritual welfare of the prisoner with a view to the fullest use of education and religion for his restoration to society as a good and respected citizen."

The *Star* would not presume to argue with the good Bishop that chain gang as it exists in many southern states is abominable, but it believes there are other conditions which come first if the good clerics of the south are to make themselves potent in the matter of human welfare.

We refer to a situation that permits children to be reared in environments often not on a parity wth chain gang conditions, but which a sophisticated society accepts as a matter of fact.

If Bishop REESE and his colleagues will devote some attention to this along with their commendable plans for prison reform, we suspect they will draw a larger portion of the population to their support.

ATLANTA, GA.
CONSTITUTION

APR 25 1934

ENCOURAGING CRIME.

News items Tuesday in reports of court cases in Mississippi and Texas illustrate the extent to which crime finds encouragement in the defects of legal procedure.

In Jackson, Miss., a negro convicted of rape three years ago had the sentence of death imposed upon him for the seventh time. For this long period he has, through recourse to legal technicalities and gubernatorial action, been able to escape punishment.

It is not surprising that with the courts offering such opportunity to postpone, and, in many instances, to escape, punishment that lynching occurs as frequently as it is.

A report from Crockett, Texas, tells of the cold-blooded killing of a prisoner in a courtroom by the nephew of the man for whose murder he was being tried, and the release of the slayer under a $1,000 bond.

When the courts themselves view the taking of life in so light a manner, there can be no wonder that the homicide record of the average American city is higher each year than in Great Britain and Canada combined.

Our judges and juries are not to blame. They invariably exert every effort to quickly and justly punish those guilty of committting offenses against the public weal. The trouble lies in the technicalities of the law that make, in most instances, the finding of a sentence of guilty only the start of a long-drawn-out fight by the lawyers of the guilty man to save their client from his just punishment.

Several of the states have within the past few years rewritten their laws governing court procedure, eliminating, to a great extent, the technicalities responsible for the inexcusable delays that mark the course of the average case through the courts. Most of the states, despite the efforts of the national and local bar associations, have failed to effect these imperatively needed reforms.

In that failure lies the responsibility for the prevalence of crime within their borders and the difficulty of extending punishment to law-breakers.

Crime-1934 General

Gainesville, Fla., News
Janaury 2, 1934

BAR ASSOCIATION'S STAND AGAINST CRIME

The American Bar Association is undertaking a comprehensive survey of the problems of law enforcement, presumedly incited to action by the lynchings and other lawlessness that have occurred in several states recently.

It is a subject for unhappy comment that the votaries of our legal system wait for lawless mobs to shock their sensibilities into action. But "'twere ever thus." It appears to be the way of progress that we lock the stable door after the horse has been stolen.

Lawlessness has been rampant in the large metropolitan centers for several years. Gangsters, racketeers, kidnappers, and murderers have terrorized these communities. The local legal machinery has proved impotent to bring them to justice. Many local law-enforcement agents have become so inert, feeble and callous to crime in their midst that a movement is growing in favor of invoking federal proceedings.

Some go so far as to declare that the states should be deprived of the police power by constitutional amendment. Others believe that lynchers can be brought to justice when the state enforcement breaks down. They cite the Congressional Act of 1870, which makes it a misdemeanor for an officer of the law in any state to permit a citizen to be deprived of the right to person or property.

The American Bar Association is directing its movement not only against lynching and other lawlessness, but is attacking abuses in the administration of the law. After completing its survey the association will set forth clearly a program whereby desired changes may be effected.

Such questions as the following will be studied: the relation between politics and crime; activities of lawyers who are employed by the underworld; racketeers and their extortions from business concerns; court methods in disposing of criminal cases; zeal and efficiency of prosecuting officers; crime in relation to its detection and prevention by police officers, etc.

This movement deserves the cooperation of every lawyer in the country in arriving at the facts. There is plenty of opportunity for public spirited citizens to play their part, not only in developing a workable program, but in executing it after it is set up. Our juries can be greatly strengthened if intelligent, high standing citizens will evince a greater interest in serving on them.

In England lynching is scarcely known. There it is not necessary to deter the acts of the criminal by fear of mob violence. The criminal minded in England fear the quick trial and summary punishment in the courts under a criminal code that protects the people in their homes and daily walks of life. If our states should evolve a criminal procedure quite as efficient, then there will be no excuse for the people to resort to a violation of the law in order to punish wrongdoers.

TALLAHASSEE, FLA.
DEMOCRAT
FEB 14 1934

Sane Consideration Of Prison Problem

A rational discussion of the prison problem with emphasis upon the situation in the South has been received from the Rt. Rev. Frederick F. Reese, Episcopal bishop of Georgia, signed by an imposing number of leading ministers of many denominations throughout the southern states.

The opinions subscribed to by these religious leaders demand respectful consideration, especially so since the statement is phrased in restrained, carefully considered verbiage, without the hysterical and baseless generalities which have typified much that has been said on the subject heretofore.

The ministers acknowledge the progress that has been made in many southern states, noting particularly that Florida and Alabama have established sanitary road camps and do not chain prisoners. It is also noted that leasing of convicts to private industry, flogging and other practices of the past have been abandoned in several states.

It is refreshing to discover that the ministers agree that abuses in the penal system are not confined to any one section of the country. They do charge however that the South is unusually backward.

While we can agree with the subscribing ministers in many particulars, we do not understand how prisoners can be controlled if both flogging and the "sweat box" are to be outlawed. Punishment is not necessary in all cases but there are unruly convicts who must be penalized sternly if they are to be controlled at all. It may be that the subscribers have not found a satisfactory solution to this problem.

In any event it is with the hope that frank, open discussion may lead to better conditions in southern prisons that we present to our readers the recom-

mendations of the distinguished group:

"1. The consistent object and guiding principle in handling prisoners should be the protection of society by the reclamation of the criminal. It is to the interest of society that this shall be done, since the criminal will return after a while to society.

"2. Imprisonment, while necessary under present conditions, is degrading to the prisoner and his family and costly to the taxpayer. A large percentage of all convicted persons might be safely paroled under the care of trained probation officers. The indeterminate sentence and suspension sentence are a necessary part of a progressive penal code.

"3. A trained probation service is needed in every state in the South. It should be organized on a country-wide basis with a state supervisory bureau. Every criminal court should have the service of such officers, women as well as men, and there should be colored officers, trained for the purpose in colored schools, to deal with colored offenders.

"4. Juvenile offenders, at least to the age of 16 and preferably 18, should not be imprisoned or brought before courts having criminal jurisdiction, but before juvenile courts where the procedure is not criminal but is based upon social treatment, and where the delinquent is placed under the care of probation officers. This should apply to both white and colored delinquents.

"5. Women should be segregated from men, and first offenders from experienced criminals. Women prisoners should always be under the care of officials of their own sex.

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"7. Every prisoner, upon sentence, should be studied individually, by competent persons as to his history, education, skill, health and mental condition; and the treatment he receives and the methods used for his improvement should be based upon these findings

"8. The method of parole should be used as soon as the prisoner is in condition to be restored to his freedom. For his own protection as well as for the protection of society, he should be released under the care of a probation officer. He should be received by society sympathetically and given a chance when he is released, and should have money from his own earnings while in prison. Only those who cannot be safely returned to society should be kept in longtime custody.

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"10. Prisoners who know no trades should be taught trades, when possible, while in prison. Those who are illiterate should receive at least elementary education.

"11. All prisoners should be well fed on a balanced diet, safely housed under sanitary conditions, and protected against sickness, accident and disease. There should be no object or occasion left for any official to make money out of arrests, convictions, supplies and contracts.

"12. All jails and prisons should be studied and frequently inspected by the state authorities as to their safety, sanitary conditions and suitableness for the purpose of reclaiming the prisoner; and as rapidly as possible improper buildings should be replaced by modern structures built in accordance with the most approved methods. County jails should be consolidated into larger units, a few for a state and placed outside of cities.

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"14. Great attention should be given to the moral and spiritual welfare of the prisoner with a view to the fullest use of education and religion for his restoration to society as a good and respected citizen."

The obvious reason for a lack of many of the more modern and humane facilities in our present prison system is a lack of finances. The most emphasized principle of government in recent years has been not service, not progress, not humane treatment of state wards, not improvement in state institutional facilities, but Economy.

As a result state income has been pared to the minimum, if not below, and it is obvious that costly improvements cannot be made without the outlay of money.

A candidate for governor or for the legislature who ran upon a platform of spending more state money for needed improvements in the state institutions would prrobably be defeated.

We therefore respectfully submit this problem to the consideration of the southern ministers and to such other persons as may be interested.

Talladega, Ala., Home
April 25, 1934

ENCOURAGING CRIME.

News items Tuesday in reports of court cases in Mississippi and Texas illustrate the extent to which crime finds encouragement in the defects of legal procedure. In Jackson, Miss., a negro convicted of rape three years ago had the sentence of death imposed upon him for the seventh time. For this long period he has, through recourse to legal technicalities and gubernatorial action, been able to escape puhishment.

It is not surprising that with the courts offering such opportunity to postpone, and, in many instances, to escape, punishment that lynching occurs as frequetly as it does.

A report from Crockett, Texas, tells of the cold-blooded killing of a prisoner in a courtroom by the nephew of the man for whose murder he was being tried, and the release of the slayer under a $1,000 bond.

When the courts themselves view the taking of life in so light a manner, there can be no wonder that the homicide record of the average American city is higher each year than in Great Britain and Canada combined.

Brooklyn, N. Y. Eagle

DEC 12 1934

Broadening the Attack on Crime.

President Roosevelt in his address to the National Crime Conference struck a needed note when he emphasized the importance of broadening our approach to this whole problem. Great as is the need of facilities for training skilled men for the work of detection and apprehension of criminals, this is merely one phase of the complex question of criminal law administration. As the President so well said, "effective detection of criminals may be rendered useless by inefficient prosecution or by unintelligent judicial disposition." Able prison administration, proper control of parole and probation, which are so susceptible of misuse; even welfare work intended to direct youthful zeal into useful rather than criminal channels, all have an important bearing on our efforts to check the growing social disorders of our day.

The importance of this meeting of criminologists, legal experts and sociologists can scarcely be overemphasized. Out of it should come the formation of some kind of an administrative structure which will tie together every crime-preventing, law-enforcing agency of every branch of government—Federal, State and local. It is Attorney General Cummings's conception that this would take the form of a great national scientific and educational center for the eradication of crime, a sort of American Scotland Yard. It is heartening to note that President Roosevelt specifically mentioned lynching as one of the forms of crime against which popular resentment must be so aroused that it can be entirely stamped out.

Crime - 1934

General.

New York Times

DEC 11 1934

PRESIDENT DEMANDS DRIVE BY ALL FORCES OF NATION TO SOLVE CRIME PROBLEM

WARNING OF SOCIAL PERIL

Nation Must See Danger He Tells Conference at Capital.

SWIFT JUSTICE ESSENTIAL

Banditry, Narcotics Traffic and Lynchings Are Problems as Important as Recovery.

CUMMINGS TELLS MENACE

Calls for Our Own 'Scotland Yard'—Stimson Denounces Gangster Glorification.

Special to THE NEW YORK TIMES.

WASHINGTON, Dec. 10.—Tying together "with scientific care" of every crime-preventing and law-enforcing agency in the country under "a constantly improving administrative structure" was urged by President Roosevelt tonight in the chief address at the opening of the Attorney General's four-day conference on crime.

Speaking before the nation's leading criminologists, legal experts, enforcement officers and sociologists in crowded Constitution Hall, the President asked that the problem of crime in all its ramified aspects be put before the nation in its true light so that this "symptom of social disorder" might be eradicated.

Home, school, church, community and social agencies must work in common with our law-enforcement agencies to "substitute order for disorder" and to "direct more purposely into useful channels that greatest of all natural resources, the genius of the younger generation," he declared.

The President, when he concluded, received an ovation lasting more than two minutes.

Attorney General Cummings and Henry L. Stimson, Secretary of State in the Hoover administration, also addressed the session, both assailing a tendency over the nation to "romanticize" the criminal.

Cites Bandit Efficiency.

The government cannot alone enforce order, President Roosevelt said in calling for the close cooperation of State, county, city and town administrations. Bandits have been better equipped and better organized in many cases than the officers hunting them, he declared, insisting that the importance of common action be realized.

He advocated the swift and certain functioning of judicial machinery from the moment of a criminal's arrest until final sentence. The effective detection of criminals might be made useless by faulty prosecution or unintelligent judicial disposition, and beneficent procedures such as probation or parole might under some circumstances, he added, become sources of danger to the community.

He criticized lack of coordination between local agencies within States, lack of facilities for training men for the work of detention, apprehension and prosecution of accused persons, and faultiness of facilities for the study and supervision of certain types of criminals.

But going beyond the question of mere enforcement, Mr. Roosevelt thought that there was much to be done by the whole nation in "crime prevention."

Points to Threat to Home.

There were unfortunate aspects of our national life, he frankly admitted, which "seriously threaten the American home." These, he said, increased the danger of juvenile delinquency and multiplied offenses against the good order of society.

While "primitive forms" of law enforcement were powerless against traffickers in illicit drugs, dealers in stolen goods and interstate criminals aided by swift vehicles of transportation, and the latter must be dealt with by closely coordinated and well-equipped police, he asserted, the whole nation must cooperate in establishing a spirit of lawfulness.

The youth of the country must have a "new deal" and crime must be ripped up by its very roots in this process.

"During the past two years there has been uppermost in our minds the problems of feeding and clothing the destitute, making secure the foundations of our agricultural, industrial and financial structures and releasing and directing the vital forces that make for a healthy national life," the President said.

"As a component part of the large objective we include our constant struggle to safeguard ourselves against the attacks of the lawless and the criminal elements of our population."

It was heartening and reassuring to the people of the country that experts capable of giving advice in every field that had to be covered had been gathered together, he said, and he called for "a constructive program of action" from them.

At one point the President mentioned the popular resentment aroused by "horrifying lynchings."

The President's reference to lynching recalled that Mr. Cummings barred the listing of any type of crime, including lynching, for specific discussion at the conference.

The Association for the Advancement of Colored People threatened to picket the conference for this reason.

In reference to this threat Mr. Cummings said in an interview:

"I have no doubt but what lynching, narcotics, kidnapping, racketeering, smuggling, income tax violations and a whole group of offenses will be discussed."

Mr. Cummings declared in his address that the problem of proper interrelation of Federal, State and local law enforcement agencies was the most important before the conference. The province of each must be fixed, he held, and close cooperation arranged.

He emphasized the difficulty of extending Federal crime enforcement agencies and said that a careful study of "constitutional questions" and "considerations of policy" should be made in this connection. An "intimate and friendly" cooperation among law enforcement agencies was, he held, both necessary and desirable.

He suggested the establishment of "a great national scientific and educational centre" for the eradication of crime, this centre to become a peculiarly American Scotland Yard.

"There is one point which I most emphatically wish to stress, namely, that it is not intended that this conference shall meet, discuss, adjourn and be forgotten," he said.

"Nor is it intended that its sole product shall be a group of pious resolutions. What we want are concrete proposals for action; constructive suggestions as to why and how certain things should be done and by whom. I said before, and I say again, we can do this job if the people want it done.

"I am thoroughly convinced, as I am sure you are, that we need methods for the better selection and training of personnel, laboratory facilities for work in detection and apprehensive opportunities for scientific research.

"Personally, I am satisfied that we must have a great scientific and educational centre for work in this field.

"Whether this should be called an institute of criminology or a Federal school for training in law administration; whether it should include, at its inception, a degree-granting academy for those who may be selected and trained for professional careers, or whether it should begin with the co-ordination of already existing units of instruction and research and develop gradually—these are unimportant questions.

"In addition to the matter of a permanent structure of this kind, there are many other points upon which I wish your advice and suggestion. The way seems open, by means of interstate compacts, uniform laws and Federal and State legislative enactments, to increase the effectiveness of both State and Federal agencies, particularly at points of contact and possible coordination.

"Let me impress upon you the magnitude and significance of the struggle in which we are engaged. It is amazing that such a situation as now exists is possible at this stage of our civilization. When officers of the law are forced to engage in drawn battles on public highways, in railroad stations and elsewhere, armed with the desperate implements of modern warfare, we realize the danger which is involved and the menacing character of those who thus boldly defy the powers of our government."

Mr. Stimson assailed that part of the press that was sensational and movies that presented the gangster favorably.

"Perhaps the underworld today has taken in our imaginations the place of the old frontier, and the sordid Dillingers and Baby Face Nelsons of today excite atavistic emotions dating back to the time when our Daniel Boones and Davy Crocketts performed a real service for a frontier people," he said.

"It is not unnatural for the boys of a country which has recently lost its frontier to be excited and stimulated by tales of danger and thrilling adventure.

"But it is certainly all wrong for such a spirit to be fanned up artificially by the engines of a sensational press, by the enterprising photographers who record all the horrid details of crime, by the movies and by the other modern instruments of mob exploitation. Under these influences we have become sentimental over crime to a hysterical degree, which is largely responsible for the breakdown of our system of justice.

"Such an attitude strikes at the root of punishment and removes to a very large degree its deterrent influence against crime. It tends to exalt the criminal and make him pose as a hero instead of the abhorrent creature that he is.

"It enters into and mars and delays every step of the judicial pro-

cedure leading up to his conviction, tending to make it a drama centred about a man fighting for his life instead of the dignified essential work of a community protecting itself against violence. Such an attitude is entirely unnecessary in a nation of our race, our language and our legal antecedents."

He remarked that a different situation existed in England, that criminals detected there got short shrift.

Mr. Cummings was elected chairman of the conference and Justin Miller, dean of the School of Law, Duke University, was elected secretary.

Patrick J. Hurley, former Secretary of War, in presiding at the opening session, said that he was glad to pledge his aid to the Attorney General in the anti-crime work.

"Such work as the extermination of crime should not be partisan," he declared.

Permanent Committee Named.

The conference approved selection of a committee on resolutions, which will act as the permanent body and draft a program for unification of law enforcement.

The members are:

Scott M. Loftin of the American Bar Association, chairman.
Senator Ashurst, chairman of the Senate Judiciary Committee.
Sanford Bates, director of the Federal Bureau of Prisons.
E. R. Cass, secretary of the New York Prison Association.
Charles Edward Clark, dean of the Yale Law School.
Senator Vandenberg.
Senator Copeland.
J. Edgar Hoover, director of the Bureau of Investigation of the Justice Department.
Joseph B. Keenan, Assistant Attorney General.
Miss Katherine F. Lenroot, chief of the Labor Department's Children's Bureau.
Justin Miller.
Will Shafroth, Denver lawyer.
Peter J. Siccardi, president of International Association of Chiefs of Police.
Representative Sumners of Texas, chairman of the House Judiciary Committee.

AT THE CRIME CONFERENCE.

Seventy-three Organizations and Public Offices Are Listed.

Special to THE NEW YORK TIMES.

WASHINGTON, Dec. 10.—The following seventy-three organizations and public offices were among those listed as represented at the Attorney General's conference on crime which opened here tonight:

American Bar Association.
American Federation of Labor.
Attorney General, State of Delaware.
Attorney General, State of Idaho.
Board of Commissioners of the State Bar of New Mexico.
Detroit Bar Association.
Essex County Bar Association.
National Probation Association.
North Carolina Bar Association.
North Dakota Bar Association.
Supreme Court of the State of New York.
The State Bar of South Dakota.
Treasury Department, Public Health Service.
United States Attorney, Middle District of Alabama.
United States Conference of Mayors.
Wichita Bar Association, Wichita, Kan.
American Federation of Teachers.
American Legislators Association.
The Federal Grand Jury Association for the Southern District of New York.
Mayor of Newark, N. J.
National Council of the Young Men's Christian Associations of the United States of America.
Attorney General, State of Florida.
Attorney General, State of North Carolina.
Camden County Bar Association.
Commercial Crime Commission, New York.
Governor of Florida.
Juvenile Court of Allegheny County, Pittsburgh, Pa.
State Bar Association of Wisconsin.
United States Marshal, Northern District of California.
The American Prison Association.
Association of American Railroads.
Big Brother and Big Sister Federation, Inc.
Eleventh Judicial Bar Association.
Attorney General, State of Kansas.
Governor-elect, State of Maryland.
Idaho State Bar.
Jewish Welfare Board.
Minnesota Crime Commission.
United States Attorney, Eastern District of Illinois.
United States Attorney, Northern District of Iowa.
United States Attorney, Eastern District of Texas.
United States Marshal, Northern District of Ohio.
United States Marshal, Middle District of Pennsylvania.
Allegheny County Bar Association.
American Newspaper Guild.
Attorney General, State of Minnesota.
Attorney General, Puerto Rico.
Bar Association of the City of Boston.
Chicago Crime Commission.
City of Cleveland.
City of St. Louis.
Hartford County Bar Association.
Milwaukee Bar Association.
National Conference of Commissioners on Uniform State Laws.
The Rockefeller Foundation.
State Bar Association of North Dakota.
State Bar of Oklahoma.
United States Marshal, Chicago, Ill.
The Chicago Bar Association.
The Cleveland Association for Criminal Justice.
Iowa State Bar Association.
United States Attorney, Western District of Louisiana.
United States Attorney, Western District of Michigan.
United States Marshal, State of Nebraska.
United States Marshal, Eastern District of Kentucky.
World Narcotic Defense Association.
American Medical Association.
The Committee on Criminal Courts of the Charity Organization Society of the City of New York.
Kansas City Bar Association.
National Association of Prosecuting Attorneys.
Philadelphia Criminal Justice Association.
Public Administration Clearing House.

Many other organizations invited to send delegates were said to be represented, but no list was available.

READ—THEN HELP
The Hundred Neediest Cases.
New York Herald-Tribune

DEC 12 1934

Pecora Assails Archaic Laws As Crime Aids

Finds Jurors Also Baffling; Medalie Urges State Justice Bureaus For Police-Prosecutor Tie

Murphy, of Newark, Asks Better Probation Systems

From the Herald Tribune Bureau

WASHINGTON, Dec. 11.—Ferdinand Pecora, member of the Securities and Exchange Commission and formerly Acting District Attorney of New York County, speaking before the Attorney General's Conference on Crime tonight, discussed the question whether "the criminal courts are doing their duty."

Mr. Pecora declared "there are instances where the criminal courts have failed in their duty, not because of the ineptitude of judges, but because of archaic laws of procedure and of substantive law."

At the same time George Z. Medalie, former United States Attorney at New York, delivered an address on "Effective Prosecution—A Method of Crime Prevention," in which he urged the creation of state departments of justice, "the heads of them appointed by the Governors themselves so that responsibility for law enforcement rests where it should and where an accounting can be had, namely, in the highest official elected by the people."

Dr. Raymond Moley presided at the evening session of the conference.

Mr. Pecora discussed the trial jury. He said:

"In the unreasoning criticism that is often flung at our courts we frequently fail to give adequate consideration to the prime importance of the functions of the trial jury in our criminal cases.

"After all, before the just penalties of the law may be inflicted upon a wrongdoer, a jury must first pronounce him guilty. Bear in mind, too, that in our Federal courts as well as in the majority of our states, such a verdict must be agreed upon by all twelve members of the jury. For in those jurisdictions we still hold fast to the absurd requirements of unanimity in cases of conviction.

"A desperate criminal on trial for his life or liberty is indifferent as to the methods which may be employed to prevent his conviction. He is intent only upon one thing—the thwarting of successful prosecution. And so long as this may be accomplished by corrupting a single juror, that will be resorted to wherever possible.

"The importance of the jury in our system of criminal jurisprudence cannot be overemphasized. The sound administration of justice requires the honest and intelligent co-operation of honest and intelligent citizens sitting in the jury box. Altogether in too many instances those best qualified to give our courts that co-operation sedulously seek to avoid jury service."

Mr. Medalie said:

"It has been the experience of police departments and Federal agencies time and again to be confronted by those who possess information and could successfully defy the efforts of police or government agents in their attempts at obtaining disclosures and evidence. When, however, there is at hand a prosecutor who does not wish all of the investigating activities on the police department or the government agents, the slow but sure method of using the grand jury investigation to compel testimony is a means which is soon respected and feared in the community in which it is invoked.

"Effective prosecution, even with the best of good will, and even, too, with the best personnel, is for the moment still a dream of the future. Assuming that we have district attorneys who do not wait until formal complaints are submitted to them, assuming that we have district attorneys who do not wait for the police to bring them ready-made cases and are willing to make their own efforts to dig into the very roots of criminal enterprise, the fact remains that, with the present organization of police, investigating and prosecuting organizations there are serious limitations upon the effectiveness of prosecution which fundamental reorganization can eradicate."

Joseph P. Murphy, chief probation officer of the Essex County Courts, of Newark, N. J., discussed the question "Does conviction mean punishment?" Mr. Murphy made recommendations as follows:

"1. Our courts should be encouraged to use probation more frequently, yet discriminately.

"2. Suspension of sentence without supervision should be restricted.

"3. Better trained and better fitted probation officers should be selected.

"4. A uniform and co-ordinated system should be established within each state or county and a more scientific and practical method of evaluation worked out and adopted."

Hotel Forced to Admit Negro

WASHINGTON, Dec. 11 (AP).—Members of the Massachusetts group attending the national crime conference said today they threatened to walk out of a Washington hotel when admittance was refused to Matthew W. Bullock, Negro member of the Massachusetts Board of Parole.

P. Emmet Gavin, another member of the board, had invited Bullock to visit him in his hotel suite, but the hotel had refused to admit him even for a brief visit. When Gavin and other members of the Bay State group learned of the hotel's action they threatened to leave the building, and Bullock finally was permitted to go to Gavin's apartment.

Negroes Picket Session

WASHINGTON, Dec. 11 (AP).—An attempt by a group of Negroes to picket the Attorney General's Conference on Crime today was held unlawful by Washington police — and squelched. Four Negro men, members of the National Association for the Advancement of Colored People, appeared in front of the conference hall carrying banners which protested because "lynching" wasn't a specific subject for discussion before the parley. The quartet was arrested on charges of carrying unlicensed signs, but later released after posting collateral of $5

WORCESTER, MASS.
GAZETTE

DEC 12 1934

The Crime Conference in Session

Only the most sanguine observer will expect a workable, successful plan for shattering the country's crime structure to emerge from the four-day meeting of sociologists, criminologists, lawyers and enforcement officers in progress now at Washington under auspices of the federal department of justice. The crime problem is broad, complicated and deeply entrenched. Four days are few. The conference is large, and representative of widely varying modes of life and public attitudes towards the main subject at hand, a point immediately illustrated by Attorney General Cummings' action in barring lynching from the list of conference topics, and emphasized by the Massachusetts delegation's vexation because Matthew W. Bullock, Negro member of it, had trouble gaining admission to a hotel.

If any specific of high practical promise is put forward for treatment of crime, it will probably be something thought upon and drafted, perhaps actually used, in advance. If the conference, in its four days, gets beneath the surface of generalities and touches upon two or three hard facts, it will have accomplished something.

Neither the delegates nor the people at large need to be told the seriousness of the crime situation. They know it. Nor do they need to be told that criminal court procedure in this country is slow and seemingly has its side exits. They know that British procedure is swifter and more effective. They know there is inefficiency and some lack of co-ordination. And they have read plenty in glorification of Mr. Cummings and the record of department of justice agents in cornering and killing Dillingers and Nelsons. In fairness, they should hear more of the steady, unspectacular work of local police everywhere in keeping crime from being worse than it is.

Big conferences of this kind aren't celebrated for getting down to rock bottom. If any program —in addition to everlasting honesty and courage and hard police work and wise use of the reformative machinery we now have—is to be devised, it must probably come from the brain of one great expert or from a small astute group. Even then we should need fearlessness and zeal to make such a program worth a hoot. In fact, the programs, laws and whatnot already available might do wonders if we had the fearlessness and zeal to make them work.

Crime—1934

General

ATLANTA, GA.
CONSTITUTION

APR 14 1934

OUR HOMICIDE RECORD.

As has been the case in previous years, southern cities are shown in compilations recently released to have led the country in 1933 in the number of homicides per 100,000 population, Atlanta ranking fifth among all the cities of the country, as against second for 1932

Despite the decrease in rank with four instead of one city having a worse record in the number of violent killings, murders increased in Atlanta from 122, or 39.7 per 100,000 population, in 1932, to 154, or 47.6 per 100,000, during 1933.

Chicago, almost 10 times as large as Atlanta, and with the worst crime conditions in the country, has only three times as many homicides, her rate being only 14.2 per 100,000 population. Such cities as New York, Los Angeles, Detroit and Philadelphia all have rates of approximately 7 per 100,000, which is also the rate of most of the cities of Atlanta's size in the country. The average for the country is 10.7.

Further illustration of the extent to which life is violently taken in the United States is shown by the fact that the homicides in the 14 largest cities of Canada, with a combined population of 2,750,000, totaled less than a third of those in Atlanta alone.

The predominance of homicides in the south as against the other sections of the country is attributable to the large negro population in this section, but the murders committed in every class of our population are a humiliating indication of the lack of respect for law and for its enforcement agencies in the United States as compared to that existing in other well-governed countries.

Back of this record, and largely responsible for the willingness of so large a per cent of our people to take the law into their own hands, is the inefficiency of our courts, and the long delays marking the administration of justice.

When a man commits murder in England, or any of its dominions, or in the continental European nations, he finds the road to the gallows or the guillotine a short and certain one. Just the opposite is true in this country.

When the processes of our courts are speeded up, we will see a sharp falling off in homicides, and in all other types of crime, but it is useless to expect it under present conditions.

Thomasville, Ga., Times-Enterprise
May 11, 1934

THE CAUSE OF MOB ACTION

The first thing some people think when a new crime comes to light is punishment. Their first idea is to inflict the greatest possible hardship on the perpretator, both for the effect it will have on others and to satisfy the craving to avenge some dastardly act that is contrary to law.

The kidnaping of the six-year-old June Robles in Arizona is one type of crime that creates that desire in the minds of many, both those who are fearful of similar acts and those who are merely looking at the matter from the standpoint of good citizenship. The crime itself is so steeped in the lowest dregs of human debauchery that it is hardly possible to conceive that it can be put over. Yet we know that there live men who would commit murder for five dollars.

There have been many such crimes in the past year or more, the most horrible being that of the Lindbergh baby. We all knew then that there would be a succession of such crimes and there would be others of an extortionate nature without the kidnaping, attempting to prey upon men's fears for themselves or their household. They have come in a veritable flood.

Yet we hear frequently of men being detectuced in those crimes or afterward proven guilty and given too short sentences for them. This has become one of the reasons for the activity. Men who fear death for themselves will be loath to kidnap a child or to threaten to bomb a man's home for money. Incerceration for a long term of years is essential in order to keep down that activity as well as for the direct punishment which the criminal-minded actor may deserve.

Birmingham, Ala., News
June 24, 1934

High Homicide Rate In Southern Cities Due To Illiteracy—Inspector Lyons

BY BRAINARD COOPER

The high homicide rate in Birmingham and other Southern cities is due to their large Negro populations, and the prevalence of murder among Negroes is traceable directly to illiteracy, according to Inspector E. A. Lyons.

Inspector Lyons, who has compiled much data concerning crime, revealed that in the first five months of this year there were 48 homicides in Birmingham and that of these 44 involved Negroes. And this disparity between the races despite the fact that of Birmingham's 265,000 population the Negroes are estimated at only 90,000.

The Birmingham police official's conclusion are supported by the Division of Investigation of the United States Department of Justice which, in its latest quarterly bulletin, showed that over a certain period of time for which figures were given three times as many Negroes as native born whites, in proportion to the general population, were arrested for crimes.

Referring to the 48 homicides in Birmingham for the first five months of this year, Inspector Lyons said that the police have made 36 arrests for these crimes and that five of the cases were held to be justifiable homicide by the coroner. All sever persons still being sought are Negroes.

Of the eight persons slain by violence in Birmingham in May, the inspector asserted, only one was white. The others were four Negro men and three Negro women.

Half Record Of 1910

Quoting statistics prepared by Dr. F. L. Hoffman, statistician for life insurance companies, to show that the homicide rate in Birmingham is only about half what it was in 1910, Inspector Lyons said that there is "a decided co-relation between the decrease in illiteracy and the decrease in the homicide rate."

"As long as we have illiteracy in the Southern states we are going to have high homicide rates," he asserted. "Lack of character is the underlying cause of all crime."

The greatest numbers of murders are committed in slum sections of the city, where illiteracy is high, the inspector said.

Contrary to a great portion of public opinion, based upon the reading of newspaper stories about gang killings and the like in the great cities of the nation, the largest cities are not the worst offenders in homicide, Inspector Lyons said.

Of the 30 most murderous cities in the United States, his figures show, none are in the East, as a geographical division, has none; the West only one, the Middle West five and the South 24.

New York, he said, is seventieth in a list of 147 American cities in the prevalence of homicide in proportion to population, and Chicago, despite the bad reputation given it by Al Capone and his kind, is fortieth.

New Firearm Law

Declaring that approximately 80 per cent of all homicides are committed with firearms, Inspector Lyons said that he favored the enactment in Alabama of a law similar to the Sullivan law in New York, which prohibits the possession of firearms without a permit.

Under the plan suggested by Inspector Lyons, permits for the possession of weapons would be issued by the commissioner of public safety or the chief of police, and only to reputable and reliable persons. One advantage of such a statute, the inspector said, would be that weapons taken from criminals could be confiscated, whereas now the police have to return guns taken from prisoners when they finish their prison terms.

A special need at the present time, according to Inspector Lyons, is a law prohibition the private ownership of machine guns. An effort to secure such legislation was made at the last session of the Legislature, he said, but failed, and another will be made at the next session.

At present, Inspector Lyons said, a person can have a machine gun in his automobile or even carry it around and there is no law under which he can be prosecuted.

The time is coming, the inspector predicted, when criminals armed with machine guns will invade Birmingham and other cities of its type just as they have already invaded the larger cities of the country.

TORONTO, ONT.
MAIL & EMPIRE

JUN 6 1934

MAYBE THE UNITED STATES HAS ENOUGH LAWS.

Stung by the exploits of such bandits as Dillinger, Floyd and others, the United States Congress has hurriedly passed laws designed to help the officers of the law in their war upon crime. It has set aside $25,000 as a reward for the arrest of anyone stigmatized as a public enemy. It has made it a felony for a criminal to pass from one state to another to avoid arrest. Perhaps these laws will aid in the capture of some criminals and on this account are to be commended, but laws passed in a panic or laws passed to meet a passing condition which will remain laws long after the circumstances are changed are as apt as not to harass the innocent as punish the guilty. Some American writers are pointing out that the law-making craze which is now rampant in the United States provides the avenue along which some form of fascism may enter. Every new law deprives someone of rights previously enjoyed, and if the people become used to their rights being whittled away, they will become tolerant of the dictator when he appears.

Some months ago, at a time when the American nation was acutely kidnapper-conscious, two kidnappers and murderers were arrested in California, taken from their jailers and lynched. Governor Rolph expressed satisfaction, congratulated the lynching citizens and promised that if any of them were arrested and convicted he would immediately pardon them. Those who thought the governor expressed the opinion of California generally took it for granted that the lynchers had taken the law in their own hands because they feared the law's delays might permit the murderers to

escape justice. But there is no foundati truth for that supposition. The laws fornia are adequate to deal with such crimes.

The Nation calls attention to the cases of the three men who kidnapped William F. Gettle from his Beverley Hills home. Less than a week later, and about twenty-four hours after he had been rescued, the kidnappers were on their way to the penitentiary to serve the life sentences imposed upon them. There was no red tape to be unwound or cut, no needless delay. Those who believe in swift and stern punishment have here a case after their own hearts. It is probably true that in the United States there are quite enough laws to deal with all kinds of crime, and officers quite competent to cope with the criminals. If there is not a link between politics and crime, arrest and conviction will follow in the United States with reasonable celerity.

BRUNSWICK, GA.
NEWS

FEB 19 1934

JUSTICE?

Justice and its inconsistencies—ten years in prison for the slaying of an innocent babe and death for the theft of $1.80.

Played up conspicuously on the front page of a morning newspaper reaching Brunswick Saturday and given equal prominence in position, yet only separated by one column, were the following headlines:

"Gets Ten Years for Killing Son."

"Given Death for $1.80 Robbery."

The first story related details of the conviction of Donald Smith, of Littleton, Col., for the slaying of his three-year-old son, Donald Arlen. The man was found guilty of second degree murder because he fatally beat the child because he could not pronounce the word "breakfast." He goes to prison for ten years.

Out in Greenwood, Miss., according to the story beneath the second headline, O. C. Brown, negro, was sentenced to death by a jury because he is alleged to have stolen the paltry sum of $1.80. He must die on the gallows for his crime unless the governor interferes, and the best he can hope for is life imprisonment.

It's no wonder that the judicial systems of the states of this nation are condemned and flayed as a means of administering justice. What a contrast the two stories offer the general public regarding jurisprudence and the inconsistencies of those courts where justice is supposed to be served.

With such incidents in the courts of our country it is readily understood why the average American citizen doubts if there is any such thing as JUSTICE!

Saturday Night
Detroit - Mich.

AUG 18 1934

A Word for Our Negro Friends

SINCE our enumeration in last week's issue of this paper of 53 paroled convicts who have been returned to prison for new offenses in Detroit, the number has been increased by three. How many others have violated their parole and not yet been caught is, of course, unknown. One of the repeaters murdered a beer garden proprietor, followed that with rape and murder of a white girl in a white residential section.

By way of re-enforcing our continuing argument for capital punishment for all deliberate killers, and the reform of the parole system to protect decent men and women from the savagery of such brutes, black or white, we published a cartoon contrasting the treatment of rapers in the north and in the south, where lynch law so often takes its toll unless the authorities get their man first and protect him. But because the victim of lynch law happened to be a Negro, a couple of professional champions of the colored race are rushing to the rescue.

One colored editor sees in the cartoon and the accompanying editorial an incitement to race hatred, from which he is obviously willing to save his people at the regular subscription price. The parole system, which made possible the crime that inspired the cartoon and the editorial, receives not a single word of criticism from this promoter of race prejudice, and that is the only reason we give him special mention. For we owe it to our Negro readers to say this:

In Michigan we do not execute rapers or murderers either within or without the law. When we manage to get them into prison we can't keep them there for more than a comparatively few years. The effect has been to encourage violent crime. Under such conditions there sooner or later comes a time when public indignation rises to fever heat and people take the law into their own hands. It was only the vigilance of the authorities and the use of troops that prevented the lynching of a white man in a nearby town a few years ago for the mistreatment and murder of a little girl. And it was only a few months ago that the governor of California practically endorsed the lynching of a pair of crooks who had tied up a young man and thrown him from a bridge to his death. Nor is there any part of this country where assaults on white women by black men are tolerated with complacency.

Any editor who in effect defends a raper in the name of any race is misleading and cheating that race, and inviting the lynch law which orderly citizens abhor.

5,038 Persons Jailed in 1933

White Prisoners Number 175,873, Percentage of Colored Is High

WASHINGTON—Though the the colored group numbers only 9.3 per cent of the total population, it contributed 55,038, or 22.8 per cent of 240,930 prisoners committed to county and municipal penal institutions during the first half of 1933, according to a summary of these institutions just made public by the U.S. Bureau of the Census.

There were 151,158 native whites, or 62.7 per cent of the prisoners confined. Native whites form 74.2 of the whole population. The number of foreign-born whites committed was 24,717, or 10.3 per cent. Their percentage of the total population is 15.1 per cent.

Members of other races confined numbered 10,017, or 4.2 per cent. This element forms 1.4 per cent of the population.

PITTSBURGH, PA.
PRESS

DEC 11 1934

THE PRESIDENT'S ADDRESS

PRESIDENT ROOSEVELT, as usual, shows more perception and courage than those around him. The Attorney General and others responsible for the national crime conference which opened in Washington yesterday, left the unpopular object of lynching off the program, despite the fact that the country recently has been shocked by a new outbreak of this revolting type of crime. But the President, in his address to the conference last night, included in the list of crimes "horrifying lynchings, no longer confined to one section of the country."

In his general discussion of crime, the President stressed two points: One, the necessity of better training and co-ordination of the many Federal, state and local enforcement agencies. Second, the need for building up a body of public opinion alive to the menacing situation.

In both cases the kind of sporadic emotional reaction so typical of the American public is inadequate. The need is for a sustained and intelligent public support for a law enforcement system based on scientific methods.

We wish the President had found time to speak at greater length to this conference. Specifically, admonition was needed from the President on the unholy alliance between crime and politics, and also on economic desperation and unwholesome social conditions as partial causes of crime.

Crime - 1934

Georgia.

UNRULY STRUNG UP BY HANDS, FEET, COMMITTEE FINDS

Constitution 4-26-34

Special Senate Group Accuses Butts Commissioner and Convict Head of Misusing Penal Labor, Urges Their Dismissal.

ONE-MAN CONTROL SOUGHT BY ARNALL

Coweta Representative's Bill To Propose Commissioner of Correction, Appointed by Governor.

Prison conditions in the state were brought to the forefront Wednesday when Representative Ellis G. Arnall, of Coweta county, announced he would introduce a bill at the next general assembly to abolish the present prison commission after a special senatorial committee reported to the governor and the commission that inmates of the Butts county chain gang were treated inhumanely for infractions of the rules and recommended the dismissal of the prison camp superintendent and the acting warden.

Arnall said his bill would create the office of commissioner of correction and would make that official appointive by the governor in order that a man especially trained for the work might be had. He said he considered the three-man commission too large for the work and useless under present conditions.

In its report on conditions in Butts county the special senatorial committee charged that prisoners were suspended by their hands and feet as punishment for infractions of the rules, adding that the officials had shown an "utter disregard for the rights of penal labor and a total disrespect for the laws relative thereto." The officials accused in the report are Dr. O. B. Howell, chairman of the Butts county commission; Superintendent A. A. Howell, of the prison camp, and Gus White, acting warden.

Board to Make Probe.

Chairman E. L. Rainey, of the prison commission, after receiving the report, said a thorough investigation would be made by his commission. Governor Eugene Talmadge said he had no comment at this time.

The Arnall bill, its intended author said, would give the commissioner of correction more authority than the present three-man commission has.

"As the situation now stands the prison commission can only make recommendations and the governor often does not give the recommendations any weight," Mr. Arnall said. "Under the present set-up we have the commission and the commissioner of correction as well. Tom Linder, Governor Talmadge's executive secretary, passes on nearly every case which has been through the prison commission. He conducts hearings just like the commission and in some instances cases have been handled by the governor's 'commissioner' without them ever having been heard by the prison commission."

Says Money Wasted.

The Coweta solon, who was speaker pro tem during the last session and who has been mentioned as a possible candidate for the speakership, said he considered the money expended on the prison commission wasted as it duplicates the efforts of others.

"The commissioner of correction could handle the administration of our penal system at one third the present cost," he said.

The senate committee which Wednesday drew attention to the situation in Butts county is composed of Senator Andrew J. Tuten, of the forty-sixth district, chairman, and Senators E. H. Conner, of the fourteenth district, and J. J. Baggett, of the fifty-first district. The committee was appointed at the last session of the legislature. It reported that both Dr. Howell and Superintendent Howell had used prison labor illegally for the construction of private enterprises, for the planting of gardens at their homes and as personal servants.

Dr. Howell used six to nine convicts for a period of 26 days in July and August, 1933, to excavate a basement and construct a private hospital in his home at Jackson, and also used prison laborers to plant and cultivate his private garden, the report to the governor said.

"Other excavation work done for Dr. Howell by the prisoners included installation of a sewerage system across Howell's private property," the report said, and prison trucks, tools and implements were used in the work.

Beyond mention of the fact that unruly prisoners were strung up by the hands and feet as punishment, the report made no mention of any torture to prisoners.

The committeemen reported that they had interviewed Dr. Howell and that the physician had told them he employed the convict labor because "he tried to hire free labor and that they were not worth much."

In all cases where prisoners were used in work on private projects, the report added, convict camp guards were placed in charge of them.

Dr. O. B. Howell and Superintendent Howell of the prison camp are cousins, the report said, and added that Dr. Howell, while receiving a salary of $100 per month for the full-time post as chairman of the county commission, also had been drawing $40 per month as county commissioner, had been conducting a private practice and had done medical work for a near-by federal CCC camp project.

Two Men Scored.

"In view of the unimpeachable evidence delivered before this committee," the report concluded, "and in view of the admissions of Dr. O. B. Howell and A. A. Howell, superintendent, we are of the opinion that Dr. O. B. Howell and Superintendent A. A. Howell have an utter disregard for the rights of penal labor and a total disrespect for the laws relative thereto.

"It is our duty to most seriously recommend that Dr. O. B. Howell, A. A. Howell and Gus White, acting warden, be immediately discharged from further services as chairman, superintendent and acting warden, respectively, of Butts county; that their places be filled with officers who have respect for the law and humanity, and that at the next session of the grand jury of Butts county these conditions of affairs be laid before that body for such action as the facts warrant."

CRUELTY ON GANG DENIED AT HEARING

Constitution 5-3-34

Butts County's Warden Admits, However, Prisoners Are Put in Stocks.

Atlanta Ga

The state prison commission Wednesday took under advisement the case against Acting Warden A. A. White, of Butts county, cited to show cause why he should not be removed from office after a hearing on charges filed by a special senatorial investigating committee.

A decision from the commission is expected in a few days.

Warden White denied that convicts confined to the Butts county gang were subjected to cruel treatment, although he admitted that some of them were put into stocks for punishment, but said that the models for the stocks were obtained at the state prison farm at Milledgeville and that he made a special report on every prisoner given such punishment.

Dr. O. B. Howell, chairman of the Butts county board of commissioners and also county physician, who had been charged in the senate committee's report with misuse of convict labor, also appeared before the prison commission and denied that he had worked convicts illegally.

Denies Convict Given Work.

The committee report had charged that Dr. Howell used convicts for the excavation work on a clinic which he constructed in the basement of his house. He answered this by saying that he had given dirt to the county for the filling of a roadway and that the convicts had merely hauled the dirt to the job.

"I told the county it could have the dirt to fill in the roadway," he said. "Several prisoners worked from 20 to 30 days getting this dirt and hauling it away."

Dr. Howell said he personally had paid $138 in salaries for the guards and food for convicts working on the job. He testified the clinic was for the free use of sick convicts as well as other needy persons in Butts county, adding that there was no other hospital for prisoners who became ill.

Dr. Howell said that when he took office in 1930 Butts county was half a million dollars in debt and that at present the indebtedness is only about $20,000. He added that during his tenure the county has purchased more than $60,000 worth of various supplies and materials and paid for all in cash.

Says Taxes Reduced.

The commission chairman also testified that taxes in Butts county have been reduced 20 per cent since he took office and added that he hoped to make a further reduction of 20 per cent this year.

White said that he understood that the models for the stocks which he obtained at Milledgeville had the approval of the prison commission. He testified that at no time did he remove the seats from the stocks and force the prisoners to undergo the extra punishment of hanging by their hands.

The acting warden also stressed the fact that each stock case was reported to the commission.

Superintendent A. A. Howell, of the convict road camp, who was charged in the senatorial report with using convict workers illegally in planting and cultivating a garden at his home, also appeared and denied the charges.

Had Garden for Convicts.

Superintendent Howell said that he had not planted a private garden since 1924, but that this year he had cleared some land on either side of his house and put in some vegetables for the sole use of the convicts. He said that 10 hours of convict labor had been used in this task.

E. L. Redmond, of Jackson, attorney for Warden White, told the commission that "we consider this whole thing is motivated by politics."

"It is unfortunate," he said, "that the senatorial committee in investigating convict camps in various parts of the state has chosen this particular time, just before Dr. Howell is running for re-election, to file these charges."

A score or more Butts county citizens appeared as witnesses for the men, but were not asked to testify.

TWO ATLANTA NEGROES DIE IN ELECTRIC CHAIR

MILLEDGEVILLE, Ga., May 15. (AP)—Hosey Patrick and Charlie Hicks, Atlanta negroes, were electrocuted at the state prison farm here today for the murder of another negro, Ray Shell. The negroes made no statements preceding their deaths except to deny their guilt.

Emmett Gibson, a third Fulton county negro who was sentenced to die today for the murder of a white man, had his sentence commuted to life imprisonment just before he was to walk into the death chamber. Gibson said he was not guilty of the crime.

2 NEGROES GIVEN LIFE FOR ROBBERY SLAYING

A. L. Dixon and Charlie Dixon, negroes, were given life sentences Friday by Judge C. J. Bowman in Fulton superior court after a consent verdict had been entered finding the two brothers guilty of the murder of Willie Palmore, another negro, last Easter.

Palmore's body was found in the Chattahoochee river, and the Dixon brothers told officers that they shot him and threw his body into the water after having robbed him of his automobile.

Consolidated Atlanta Ga

MACON, GA.

NEWS

MAY 27 1934

My Work Days Are Over'

What makes criminals? The public gets one answer in the sordid murder story that developed in Bibb county Thursday, when three Negro boys, brothers, two of them under 20 years old, confessed that they shot to death their uncle, Will Meaders, to get the $245 they knew he had on his person.

One of the boys exclaimed when they hatched the plot, "My work days are over".

It is in the kindest spirit that parents teach their children that there are "easy ways of making a living". One of the old-time arguments in behalf of education is that it saves a child from becoming "a hewer of wood and drawer of water". That argument has been used time without number in the state of Georgia. The psychology of it is apparent. It means that the child gets his mind fixed on an "easy way to live". The exact expression is outmoded, since we no longer have forests to clear and wood to be chopped, but

it has its equivalents. Easy money is the quest of entirely too many people.

These boys took their bloody money and went to town to buy three pistols. They bought the pistols and hid them in the woods near their home. Their purpose can be guessed. They were going out after some more money. They appear to be just the "run of mine" type of farm Negroes. The country has more like them. And it is not a race question. John Dillinger, a white boy, was a prototype for them. A year ago he was nothing but a farm boy who had stolen goods from the Moorsville store near his father's farm. He had been sent to the Indiana state prison, where he stayed but a short time before his father's friends appealed for his parole. The release was granted on the ground that the father needed John's help. But John had learned in the prison how to get more easy money. He gave not a thought to the friends that had pledged their word in guarantee of his good character. A bandit at heart has no gratitude. He loves nothing but easy living. These three boys had been helped financially by the uncle they slew, but it was apparently as easy for them to shoot him in the back with a gun as it would have been to kill an animal that was nothing to them.

Since Dillinger was paroled he has killed or caused to be killed thirteen men, and he has taken $82,000 from three banks that he held up.

Uncle Sam is having to come to the rescue of the local peace officers. Six anti-crime bills were signed by the president during the past week. But Bibb county has been exceedingly fortunate. For years she has had the most capable of county officers, and a good piece of work was done when this embryo crime band was caught in the beginning—before they had slain other people, on the idea that their "work days were over".

TEAR GAS BOMBS ARE USED TO END CONVICTS' MUTINY

LAKELAND, Ga., June 18.—(AP)—Tear gas was used to end a short lived mutiny at a state highway prison camp near here today during which a negro prisoner was shot in the leg.

The prisoners, a group of negroes and about 15 white felony convicts refused to go to work this morning. Wardens immediately called Sheriff J. L. Spivey of Valdosta who came here with Deputy J. B. McDonald and a supply of tear gas.

Meanwhile a warden advanced on the negro mutineers and one of them hurled a piece of iron at the officer. The warden fired some time, striking the negro in the leg.

The white prisoners had remained in their barracks with the statement they "had just as soon die here as anywhere else."

When Sheriff Spivey arrived he sent three charges of tear gas into the barracks and the prisoners left, expressing a willingness to return to work. The negroes also stopped their demonstrations.

The wounded negro was not seriously injured.

LA GRANGE, GA. NEWS

JUN 19 1934

EDITORIALS

TRUCK MENACE

Two Troup county citizens lost their lives recently within the space of a few hours. One was white, the other colored. Both met death violently 16 miles apart, one here, the other near Hogansville. Both lives paid for someone else's carelessness. The cause: one improperly lighted and one unlighted truck.

This double killing gives tragic emphasis to the menace of trucks on congested highways. In one instance the unlighted truck, which cost the negro's life, was a vehicle in the final stage of decay. The driver was never apprehended. Here, it appears, was one of the results of reducing truck license tags in Georgia from as high as $1,115 to an inflexible price of $3. Naturally there has been a flood of antiquated trucks brought out onto the highway from junk yards, closed garages and the devil's own workshop. No brakes, no lights, no signal horn, the steering apparatus gone haywire. I'd as soon meet the Seap Serpent of Loch Ness as one of these monsters of the highway. Give the driver one good drink of fusel oil and alcohol and I'd take the Serpent by the same odds I took Bear to Carnera.

In the second instance, wherein the white man's life was snuffed out, the truck parked on the state highway was lighted, but a red flag, also added to the signals, was so placed that a light breeze would whip it across the red lantern. The breeze happened to waft along at the moment the victim approached the truck on a dark Saturday night. Death rode the breeze and his bony hand flapped the flag across the lantern. A crash and it was over. A man lay dead, his wife seriously injured.

For years the motoring public has been objecting to the unrestricted use of interstate highways by oversized trucks. There's another menace. There is no more sense in maintaining paved roads at public expense than there would be in asking the public to defray the expense of maintaining by taxation the railroads of this country. Our present sysetm of roads is not adequate for ever-increasing truck traffic. Until we can establish three-way highways and a schedule of hours and regulations for truck traffic, heavy trucks should be barred from the roads. And, in all events the owners of trucking companies must be compelled to pay a substantially larger share of highway maintenance costs if trucks are to be permitted on the highways. The present system of traffic in the state of Georgia is too costly in its toll of human lives and property. It must be changed.

Negro Is Arrested. Liquor Poured Out

SPARTA, Ga., July 2.—County Policeman R. D Smith, Hancock county, escaped death Saturday night when an alleged Negro bootlegger shot at him at close range, when he halted his car loaded with moonshine whisky.

The policeman was waiting for the liquor car near a Negro colored church, near Mayfield, and when he covered the occupants with a pistol and ordered them to surrender the alleged bootlegger named Nelson Moore, started shooting. Mr. Smith rushed into him and knocked him unconscious with the butt of his pistol. In the meantime the others fled.

He brought Moore here and put him in jail, along with the automobile and the cargo of whisky of 14 gallons.

The whisky was poured out and the car confiscated.

Several charges have been docketed against the Negro.

Woman Awakens to Find Negro Prowling in Room

Intruder Sought by Police After Jumping on Bed and Escaping From High Street Home; 'He Looked Like Big Dog', Frightened Woman Says

Like the bizarre setting of a detective story, Mrs. H. C. Criswell, 152 High street, related to police investigators yesterday how she was aroused from sleep early Saturday morning to find a Negro with "a yellow, evil face" standing beside her bed.

Mrs. Criswell screamed, arousing her husband, who was sleeping beside her, and the Negro fled, phantom-like, through the darkness to an adjoining room where he walked across the bed of Mrs. Criswell's sister, Miss Evelyn Stripling, and disappeared through a window.

In recent months several reports of a prowler entering the rooms of sleeping persons have been made to police. Nearly every section of the city has been visited by the intruder.

Mr. and Mrs. Criswell, who live in the apartment of Mrs. Criswell's father, J. T. Stripling, inspector, said that nothing had been taken, but robbery was believed to have been the motive for the visit. Some clothing belonging to Mr. Criswell had been taken from their room to the adjoining room and it was believed that the burglar had intended to carry the clothing away after obtaining more valuable articles.

Mrs. Criswell told investigators that "it was the most horrible experience of my life."

The Gruesome Story

"It was about 1:20 a. m.," she said. "I had been asleep for some time. As I gradually began to awaken I kept hearing a peculiar noise. It sounded like a big dog had entered my room. In the darkness I saw the outline. It was like a big dog—it certainly was some animal walking on all fours. Before I was fully awake and could scream the form stood up and there was a Negro looking at me, standing right at my bed."

The Negro, who had removed his shoes, had been crawling on the floor on his hands and knees, it was explained.

Entrance to the apartment was gained by forcing open a screen window, it was stated.

Mrs. Criswell said that the room she occupied had been burglarized late in August while other tenants were in the apartment.

"Someone broke in here one night and stole $28 from this very same room while the people living here were asleep," she said.

Two Negro Girls Held for Perjury

Christine Jackson, 15, and Annie Elizabeth Smith, nine, Negroes, were jailed yesterday on charges of perjury after they had changed their stories of events in connection with an alleged automobile theft.

In recorder's court they told one story relative to a charge that Jimmie Langston had stolen the automobile of Ed Solem, and yesterday told Solicitor General Charles H. Garrett that they had sworn falsely in the police court. B. H. Raley, police officer, is prosecutor.

White Man Indicted For Beating Negro

Flem King was named in an indictment returned by Fulton county grand jury Tuesday charging assault with intent to murder in connection with an alleged lottery fight on Au Central of Georgia railway carburn avenue, in which Robert Wil hadson, a negro was beaten with a pis tol. Officers said Wilson, a former employe of King, who is said to be a "banker" in the number game, had gone over to another concern of the same nature and that the fight was because of the negro's removal of "business."

King was also named jointly with Robert Freeman, in another indictment charging operation of a lottery. A bench warrant for King was issued and bond fixed at $5,000.

Two negroes were named in indictments charging fraudulent damage suit operations in which Georgia Power Company is named as the alleged victim. Alma Shivery, was named in a misdemeanor indictment in two counts charging that she defrauded the power company of $50 and Willie Warner was charged with a felony and a misdemeanor on similar charges in which $35 was said to have been obtained.

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3

FOLLY OF SMALL COUNTIES.

No more convincing argument of the advisability of county mergers, for the dual purpose of better public service and the reduction of the burden on taxpayers, could be advanced than the statements regarding the fiscal condition of Butts county, made by officials of the county in connection with the hearing before the state prison commission on charges of irregularities in the conduct of its convict camp.

Regardless of the merits of that controversy, the people of every county in the state should take to heart the voluntary admission of Acting Warden White, of Butts county, that the county is "so small" that it "would be foolish" for it to attempt to furnish even so humanitarian a public service as hospital facilities for its sick convicts.

In his written defense of the charges advanced by a legislative committee that convicts in Butts county are being improperly treated, Warden White says:

With only 22 convicts, a small county, overwhelmed in debt, no credit and really no need of a regular hospital for so small a number of men, even if it had been financially able to build a hospital, as the costs of keeping competent help, nurses and equipment being prohibitory, no county would be foolish enough to undertake such a venture.

There are no better people in Georgia than the citizens of Butts county, but it is evident from this statement that they are not getting the type of government they should have, and that they are paying more than they should even for good public service.

There are only a dozen or so of the 159 counties in the state having a higher tax rate than Butts, and yet, despite this unbearably heavy tax load being borne by its taxpayers, the county government is so deeply in debt that its credit has been wrecked, and it is not able to furnish public service in any measure commensurate with the high taxes assessed upon the property owners of the county.

Butts county has a population of approximately 12,000, living on an area of only 203 square miles. It is manifestly impossible for so small a population to support, even under a practically confiscatory tax load, a county government capable of rendering efficient service.

According to the figures in the comptroller general's office at the state capital, Butts county in 1932 had total taxable values, including corporations, of only $3,048,132, and its revenue from ad valorem taxes came to only $56,085, other tax revenues making the total receipts of the county treasury $64,000 for the year. Certainly it is not to be expected that modern and efficient government service can be financed by any such sum.

Butts is adjacent to Spalding county, of which Griffin is the county seat. It is a fairly large, prosperous and well-governed county and the people of Butts by merging with their larger neighbor could secure good government at far less cost, as was done by Campbell and Milton counties when they merged with Fulton.

Also adjacent to Butts are the counties of Henry, Newton, Jackson, Monroe and Lamar, all of which are comparatively small, have limited populations and within which lie no large communities. If these counties would combine in groups of two, three or four, or all merge in one large county, they would be assured of far better public service and the burden being carried by their property owners would be materially lessened.

Undoubtedly the great majority of the property owners of Georgia are carrying too heavy a burden for the upkeep of local government, but they have nobody to blame but themselves. It has been clearly and convincingly shown that they have a way out to better government at less cost through resort to mergers and consolidations.

Woman Tries Suicide for 6th Time To Escape Stockade 'Sweat Box'

Constitution

Sensational charges of cruel and inhuman treatment received by women prisoners at the city dairy farm were made Sunday by 28-year-old Margaret Brooks, who Sunday afternoon and Monday morning attempted suicide for the fifth and sixth times since Friday because she is faced with a sentence of 51 more days at the dairy farm.

The dairy farm authorities put the women prisoners in sweat boxes for as much as 12 hours at a time, with only a little food and water during the period, it was admitted to a Constitution reporter Sunday night by J. W. Ellis, city employe, who is on night guard duty at the farm, but Councilman George Lyle and Prison Farm Superintendent Jim Ellis denied the charges emphatically.

Margaret Brooks escaped from the farm last week and was arrested by city police Friday. Since then she has attempted to kill herself six times and she tried suicide twice while an inmate at the dairy farm, Sunday afternoon she slashed her wrist with a piece of broken glass, but was detected by a matron at the city police station, where she is confined. Another woman prisoner at the station, Helen McDurman, 28, of 119 Woodward avenue, who is charged with disorderly conduct, also attempted suicide by the same method and at the same time. Both were treated at Grady hospital. Early Monday morning both women slashed their arms again, once more receiving treatment at Grady.

The Brooks woman told a Constitution reporter that several months ago while she was confined at the dairy farm, she was put in a sweat box at 5 o'clock one afternoon and left until 9 o'clock the next morning. She was being punished, she said, for shouting a greeting to her husband from a window of the women's building.

She described conditions at the dairy farm as "horrible" and said that often the place was so crowded that two or three persons were forced to sleep on one narrow single cot, or on the floor.

J. W. Ellis, the night guard, said that though there are only a few prisoners quartered in the women's building at present, he had often seen the women sleeping on the floor.

He said the "sweat" boxes are constructed something like telephone booths and are kept in the bathroom. They are slightly taller than a woman and are screened over the top, but the sides are solid so that the prisoner cannot see out, Ellis said.

The Brooks woman has been sentenced frequently in recorder's court for drunkenness and also is under $200 bond on a vagrancy charge, on which she was bound over by the recorder.

Both Councilman Lyle, who is chairman of the prison committee of council, and Superintendent Ellis said that Margaret Brooks had never been put in the sweat box and that only negro women were punished in this way.

"Since I've been chairman of this committee, for the last three years, the sweat box has not been used," Lyle said. He denied emphatically that Margaret Brooks or any other white woman had been put in the box. He said the Brooks woman had been arrested 53 times and had attempted suicide several times at the stockade by slashing her wrists and drinking poisonous disinfectants.

Superintendent Ellis, however, said the sweat box had been used. He said one white woman had been put in it sometime in the last two years for a period of only two hours, but that he was sure the woman was not Margaret Brooks. His records were not available, he said, and he did not know the name of the woman who was punished in that manner. This woman, he declared, was put in the "sweat box" "upon the recommendation of a physician."

"Men prisoners, mostly negroes, are put in the sweat box when they are incorrigible," Superintendent Ellis said.

A. A. Walker, 59, a prisoner at Fulton tower serving a six-month sentence for wife beating, attempted suicide Sunday morning by drinking a disinfectant. He was taken to Grady hospital for treatment and was returned to the tower.

CAR ROCKING CHARGED TO GREENSBORO NEGRO

Constitution

GREENSBORO, Ga., Aug. 20.—(AP) A negro booked as Frank Kimbrough was arrested today by Greene county officers and charged with hurling the rock which last night struck Mrs. O. P. Whitley, of Madison, and crushed her head against the rear glass of her automobile.

Occupants of the car said the negro was the one who hurled the rock.

Mrs. Whitley was reported in a critical condition in an Athens hospital tonight.

Mr. and Mrs. Otis L. Bonner and baby, of Athens, were occupying the front seat of the car at the time and Mr. and Mrs. Whitley, parents of Mrs. Bonner, were on the rear seat.

The incident occurred about two miles out of Union Point on the Greensboro-Union Point highway. The rock came through the right front door. It struck Mrs. Bonner, slightly injuring her, and then crushed Mrs. Whitley against the window.

WOMAN HIT BY ROCK IS STILL UNCONSCIOUS

Constitution

ATHENS, Ga., Aug. 21.—(AP)—Mrs. O. P. Whitley of Madison, Ga., was still unconscious tonight from a crushed head inflicted by a rock hurled into an automobile and a negro booked as Frank Kimbrough was in jail at Macon charged by Greene county officers with throwing the rock.

Mrs. Whitley was brought to a local hospital yesterday from Greensboro where she received first aid treatment. She was struck Sunday night about two miles out of Union Point on the Greensboro-Union Point highway.

Sheriff W. A. Reynolds, of Green county, who took the negro to Macon, said he feared trouble if Kimbrough was kept at Greensboro. The sheriff said about 200 citizens gathered about the jail there early last night and he hurriedly transferred him to Macon.

ROE TURNED OVER TO PRISON BOARD

Negro "Issue" in Campaign, Recaptured, Is Put in Fulton Tower.

Walter Roe, the escaped negro attacker, whose name has figured prominently in the present gubernatorial campaign, was turned over to the state prison commission Monday morning by Sheriff Hooker Bryant, of Whitfield county, after publication of charges by Milton L. Fleetwood, Cartersville editor, that the negro had been arrested and was being kept in hiding by friends of Judge Claude C. Pittman, of Cartersville, one of Governor Talmadge's two opponents for re-election.

Roe was placed in the Fulton tower where he is being held in solitary confinement.

Sheriff Bryant, who brought the negro here Monday morning, denied Sunday night, before publication of the Fleetwood charges, that he had Roe in custody.

It developed Monday, when Sheriff Bryant made public an affidavit obtained by him Saturday, that Roe has been in custody since last Friday. The affidavit was from a Whitfield county white woman and in it she said that she had not been molested by Roe or another negro who was with him when she encountered the two negroes on the railroad right-of-way, near Dalton. In her affidavit the woman said she ran from the two negroes when one of them spoke to her and after she had reported the incident Roe was arrested and his identity subsequently revealed.

Pittman Makes Statement.

Judge Pittman, whose handling of the Roe case has been criticized by Governor Talmadge in the campaign, issued a statement after Roe had been turned over to the prison commission, asserting that he had urged sheriffs in his superior court circuit to be on the lookout for Roe. Sheriff Bryant was quoted as saying that he was turning the negro over to the commission on orders of Judge Pittman. The law of the state removes felony prisoners from the jurisdiction of the courts once they are placed in the gang. Roe, an escaped convict, no longer was under the jurisdiction of the courts.

It was said that no charges are to be placed against Roe as a result of the incident near Dalton. The affidavit made public by Sheriff Bryant, who was one of the nine sheriffs in Pittman's circuit who made up and paid his entrance fee in the governorship race, follows:

"Georgia, Whitfield County:

"In person appeared before the undesigned officer, Mrs. ——, who, after being duly sworn on oath, says that on September 6, 1934, she was traveling along the Southern Railway Company's right-of-way from Warn Station in said county to her home, and that as she approached her home she saw two negroes on the said right-of-way. Knowing that she would have to pass them and not seeing any white people with them, she left the right-of-way and got into the public road alongside said right-of-way, and proceeded northward toward her home. When she got within 25 or 30 feet of said negroes, one of them said something to her and she became frightened and ran. Neither of said negroes touched her or got within 25 or 30 feet of her, so that she was not harmed, other than being frightened. Just about that time Mr. Will Miller came along and he was the first person to come along. Other people came along, but I did not and do not know who they were.

"Sworn to and subscribed before me this 8th day of September, 1934

"J. R. WHITENER.

"Notary Public and Justice of the Peace of Whitfield County, Ga."

In Solitary Confinement.

On orders from Vice Chairman G. A. Johns, of the commission, Roe is being held in solitary confinement at the tower.

There have been reports here for several days that Roe was arrested after an attempted attack on a Whitfield county white woman but these reports could not be confirmed. Commissioner Johns said that the negro would be assigned to a chain gang in a few days to complete the 20-year sentence imposed on him last year by Judge Pittman, of Cartersville, one of the two opponents of Governor Talmadge.

Roe was arrested in 1932 charged with assault on a white woman. He was convicted and sentenced to death. After the negro's attorneys had filed a motion for a new trial his application for executive clemency was sent to Atlanta and the case first declined by Governor Richard B. Russell Jr., four days before the executive completed his term of office. A few days after Governor Talmadge was inaugurated the case was again laid before the chief executive and Governor Talmadge followed the suit of Governor Russell in declining the application.

Held in Tower Here.

Roe was held "for safe-keeping" in the tower here from January until August last year when he was taken before Judge Pittman, who granted him a new trial.

The judge gave Roe a sentence of 20 years. He was taken to the Murray county gang at Chatsworth on orders from Judge Pittman from where he escaped seven weeks later along with four other negro convicts who were recaptured almost immediately.

Roe had been at liberty until his capture last week.

Although the prison commission ordered that Roe not be permitted to talk to anyone, including his fellow prisoners at the tower, it was learned authoritatively that he admits his identity. The prisoner posed willingly for photographs but said nothing regarding the case which has been talked about in every county in the state since Governor Talmadge countered charges of Judge Pittman and his associates that a pardon racket exists in the Talmadge administration with the charge that Pittman illegally let Roe off with the 20-year sentence after a jury had sentenced him to death and two governors had refused to interfere with that verdict.

Pittman's Statement.

Judge Pittman's statement regarding Roe follows:

"Ever since Roe escaped from a chain gang over which presided a Talmadge appointee, brought from the governor's home county of Telfair, I have been urging the sheriffs throughout my circuit to do everything in their power to recapture him.

"Despite the fact that Governor Talmadge has ample funds provided by the legislature to pay rewards for the capture of escaped convicts he has never posted a reward for Walter Roe.

"The sheriffs of my circuit have spent their own money and that of the taxpayers in those counties in efforts to apprehend this negro, who would never have escaped if the governor's henchman in charge of the convict camp had shown proper diligence."

SAVANNAH, GA.
PRESS
SEP 6 1934

THE DEADLY ICE PICK.

The Savannah police records point to another ice pick victim. This method of disposing of those with whom they have a quarrel has become quite a favorite one with the negroes of the South. With this class the ice pick has just about succeeded the pistol as a means of taking human life. This is a weapon that is as deadly as the Italian stilleto; it is easily carried and just as easily hidden, and there is no concealed weapon charge to answer on the part of the person who carries one with criminal intent.

The authorities of Savannah and other points in Georgia know how deadly the ice pick thrust can be. It is a sharp and penetrating instrument of death. It can be handled with dispatch and with deadly success and the negro population of the South has been very quick to discover this. The criminal authorities in Atlanta are on record as proclaiming the ice pick as one of the most deadly of weapons, and the records of the courts—and the cemeteries—show they are correct in this estimate.

It is difficult for the authorities to handle this new development in the matter of a death-dealing weapon. The ice pick is, of course, a household necessity; it is very inexpensive—a nickel will buy one—and one can be found in almost every kitchen. In the hands of a negro or negress, seeking revenge for fancied or real wrongs, the ice pick is proving an agency that kills quickly and noiselessly.

MADISON, WIS.
STATE JOURNAL
AUG 31 1934

"Only Negro Prisoners"

THE defense of the management of the prison dairy farm near Atlanta that they punish only Negro women prisoners by placing them in what is known as sweat boxes emphasizes the race prejudice that exists in the south.

If the sweat box is too severe a punishment for white women, it is certainly equally cruel for colored women.

Evidently the sweat box is considered by the people of Georgia as a cruel punishment. Apparently the officials at the Atlanta institution are persons of little judgment. One woman claims that she was confined in a sweat box for 16 hours for waving at her husband from a prison window.

The guarding of prisoners and insane people is not a pleasant task. Recent inquiries into Wisconsin penal and charitable institutions have confirmed this. It does seem, however, that both prisons and insane hospitals should be managed without cruel and unusual punishments.

Court Orders Extradition of Negro Youth

Smith Facing Georgia Jail; Horrors Called 'Sentimentality'

NEW YORK.—Paul Smith, Negro youth, who a year ago escaped from a Georgia chain gang, will be returned to Georgia, according to a ruling handed down by Supreme Court Justice Aaron Steuer, Tuesday.

Steuer dismissed a writ of habeas corpus by which Smith's attorney sought to block the move to extradite Smith to Georgia.

The Supreme Court Justice rejected as "sentimentality," testimony of Georgia chain gang brutalities by Rev. Vincent G. Burns, brother of Robert Elliott Burns, author of "I Am a Fugitive from a Georgia Chain Gang." The minister declared Smith's life would be in grave danger if he should be returned to Georgia.

Smith's attorney got a stay of one day to appeal before Justice Irwin Untermeyer of the Appellate Division.

N. A. A. C. P. leaders, conducting Smith's defense, have refused an offer of aid from the International Labor Defense because of opposition to the I.L.D. policy of exposing lynch courts and rallying white and Negro workers to defense of victims of capitalist justice.

Bandit Found Guilty, Gets 25 to 60 Years

Ben Cobb, negro, was given sentences totaling 25 to 60 years Tuesday by Judge G. H. Howard following his conviction on three counts of armed robbery.

Cobb was charged with holdup robberies of H. Haver, J. Jackson and J. Turetsky, merchants, on September 22, in which about $300 was taken.

WHITES GIVEN FINES; NEGROES JAIL SENTENCES

Atlanta, Ga., Dec. (ANP) — Straight chain gang sentences were meted out here Monday to two colored men, William Dixon and Joe Freeman, lottery operators, but a white man, Fred Daniel, charged with a similar offense, got off with a $300 fine and a suspended sentence.

The judge in the case was Jesse M. Wood who on Nov. 5, warned lottery operators that they would be given straight sentences thereafter.

However, Judge Wood must have had in mind colored operators. Dixon and Freeman were given four and ten months, respectively, on the chain gang.

Considerable concern exists here because so many white women of the better class families are playing the numbers. One newspaper complained that Negro runners approached the servants and that the latter in turn approach their mistresses.

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NEGRO FUGITIVE AT N.Y. CONTESTS EXTRADITION

NEW YORK, Aug. 22.—(AP)—Paul Smith, 21-year-old negro fugitive from the Whitfield prison camp near Dalton, Ga., broke down and wept today when a magistrate asked if he would waive extradition and return voluntarily to complete a 10-year term for robbery.

"I don't want to go back to that prison camp because they will kill me," he cried.

"I resent the remark of the defendant," declared Warden Harvey Smith who came for the negro. "I certainly don't want any aspersions cast on the fair name of the state of Georgia."

Magistrate Jonah J. Goldstein adjourned the case until tomorrow to give Philip Watson, attorney for the prisoner, an opportunity to contest the extradition proceedings.

NEGRO 'PROWLER' SOUGHT IN NORTH

Terrorizer of Vineville Section Believed Murderer of Indiana Policeman

The mysterious "Vineville prowler" who terrorized residents in that section about a month ago with a series of burglaries and wanderings in women's bedrooms is believed by officers to have added murder to his career of depredations, dispatches from Terre Haute, Indiana, indicated last night.

City authorities there have offered a $250 reward for a Negro who shot and killed Patrolman Walter Lanfair in an escape from a police cordon around a house he was burglarizing, according to wire advices.

He abandoned a Ford V-8 automobile which was stolen from Miss Ruth Tabor, Georgia Power company employe here, while it was parked in front of the residence of Dr. Frampton Farmer at 122 Stanislaus circle on the night of July 1.

The car was stolen on the same night that the prowler entered other residences in the Vineville sector, and authorities believe it was used by the desperado in making his escape. Insurance officials have returned Miss Tabor's car to her here.

Dispatches from the Indiana city said the Negro took another car to make his getaway after killing the policeman. That was on Aug. 3 and this car was discovered at Evansville, Ind., the next day.

Macon police have made no arrests in connection with the Vineville burglaries, and the Terre Haute dispatches said authorities there had no trace of the man who killed Patrolman Lanfair. Miss Tabor's car was returned to her Aug. 13.

BROTHER OF 'FUGITIVE' BURNS FAILS TO FREE ESCAPED FELON

Court Refuses to Interfere With Extradition of Negro to Georgia

NEW YORK, Aug. 28 (AP)—Supreme Court Justice Aaron Steuer refused today to interfere with the extradition of Paul Smith, 21, Negro fugitive from a Georgia chain gang, despite the intercession of a brother of Robert Elliott Burns, former Chicago editor who twice escaped from the chain gang and wrote a book about his experiences.

Burns' brother, the Rev. Vincent G. Burns, added his plea to those of David S. Romanov, counsel for the Brotherhood of Youth, and Philip Watson, Smith's Negro attorney.

The Rev. Mr. Burns declared Smith probably will be killed if he is returned to Georgia because he slew two bloodhounds in his flight. He urged the court to request Warden H. B. Smith, who came here from Georgia to return Smith to the Whitfield county highway camp, to see that the prisoner was protected from brutality.

Justice Stuer replied he had no authority to make such a request of Warden Smith and added:

"As to your argument that he will be subjected to cruel and inhuman treatment, all I can say is that I hope it isn't true."

Preacher Makes Threat

The clergyman declared that if Smith is injured or "put to death in some mysterious way," the Brotherhood of Youth, of which he is president, would call for a federal investigation.

Watson argued that Smith's conviction on a robbery charge was illegal and therefore the extradition warrant was not binding. He maintained Smith was innocent of the charge, and the Rev. Mr. Burns declared it was a custom in the South to "railroad" Negro prisoners into chain gangs so the state would have cheap labor for road work.

Warden Denies Charge

Asserted he had made a study of Southern prison camps since 1929, when his brother was arrested in Chicago as a fugitive, the clergyman declared 75 per cent of the Negro chain gang prisoners were innocent.

Warden Smith told reporters that no cruelty was permitted in his camp, and said it compared favorably with other camps. He denied the prisoners' statement that a scar on his left temple was the result of a pick-axe wound inflicted by a guard.

Justice Steuer, dismissing Smith's habeas corpus writ, granted a stay until tomorrow so that Smith's counsel could argue an appeal from his decision. If the appeal is denied, Warden Smith will be free to take the prisoner back.

NEGRO CHARGES SERVICE OF TERM WITHOUT TRIAL

Alleging that he has served nine years on the chaingang without trial or conviction, Jimmy Williams, negro, filed a petition in Fulton superior court Thursday asking for his freedom under a writ of habeas corpus.

In his action brought against A. A. Clarke, warden of county camps, Williams relates that he was sent to the chaingang November 12, 1925, to serve a life sentence for murder, but that he never had a trial, setting forth that another Jimmy Williams was sentenced on November 12, 1925, to serve a life sentence, but that he was not the man, admitting, however, that he was at the time under indictment for the murder of a negro woman.

Court records reveal that one James Williams was indicted May 29, 1925, for the fatal shooting of Will Edmonton, and that a consent verdict of life imprisonment was imposed on November 12, 1925. A Jimmie Williams was indicted July 1, 1924, for the knife slaying of Emma Williams, but there is no record in the solicitor's office of an arrest in the case.

It was said in the solicitor's office that if the wrong Williams was sent to the gang it would probably be due to a clerical error.

Judge E. D. Thomas set a hearing on Williams' petition for Saturday morning.

Chain Gang Fugitive Must Return to Ga.

NEW YORK. — (ANP)—Paul Smith, 21, fugitive from a Georgia chain gang, lost his fight last Monday to escape returning to Georgia by virtue of a Supreme Court refusal to interfere.

Intercession was made in Smith's behalf by the Rev. Vincent G. Burns, brother of Robert Burns, who escaped, whose return was denied by the governor of New Jersey. Burns told the court Smith would probably be killed if he were returned.

Georgia Negro's Plea Is Denied

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EXTRADITION FIGHT IS LOST BY NEGRO

R. E. Burns' Brother Pleads in Vain; Paul Smith Ordered Back.

NEW YORK, Aug. 28.—(AP)—Supreme Court Justice Aaron Steuer today refused to interfere with the extradition of Paul Smith, 21, negro fugitive from a Georgia chain gang, despite the intercession of a brother of Robert Elliott Burns, former Chicago editor who twice escaped from the chain gang and wrote a book about his experiences.

Burns' brother, the Rev. Vincent G. Burns, added his plea to those of David S. Romanov, counsel for the Brotherhood of Youth, and Philip Watson, Smith's negro attorney.

The Rev. Mr. Burns declared Smith probably will be killed if he is returned to Georgia because he slew two bloodhounds in his flight. He urged the court to request Warden H. B. Smith, who came here from Georgia to return Smith to the Whitfield county highway camp, to see that the prisoner was protected from brutality.

Justice Steuer replied he had no authority to make such a request of Warden Smith and added:

"As to your argument that he will be subjected to cruel and inhuman treatment, all I can say is that I hope it isn't true."

The clergyman declared that if Smith is injured or "put to death in some mysterious way," the Brotherhood of Youth, of which he is president, would call for a federal investigation.

Watson argued that Smith's conviction on a robbery charge was illegal and therefore the extradition warrant was not binding. He maintained Smith was innocent of the charge, and the Rev. Mr. Burns declared it was a custom in the south to "railroad" negro prisoners into chain gangs so the state would have cheap labor for road work.

Asserting he had made a study of southern prison camps since 1929, when his brother was arrested in Chicago as a fugitive, the clergyman declared 75 per cent of the negro chain gang prisoners were innocent.

Warden Smith told reporters that no cruelty was permitted in his camp and said it compared favorably with other camps. He denied the prisoner's statement that a scar on his left temple was the result of a pick-ax wound inflicted by a guard.

Justice Steuer, dismissing Smith's habeas corpus writ, granted a stay until tomorrow so that Smith's counsel could argue an appeal from his decision. If the appeal is denied, Warden Smith will be free to take the prisoner back.

PAUL SMITH CONVICTED IN FLOYD COUNTY IN '33

Paul Smith was convicted at the April, 1933, term of Floyd superior court, according to records at the state capitol. He was charged with robbery and sentenced to from 7 to 10 years on the chain gang.

He began serving his term on May 24, 1933, on the Whitfield county highway camp and escaped on July 3 of the same year. Details of the escape were not available Tuesday night.

Judge E. L. Rainey, of the Georgia prison commission, on Tuesday stated that there was no danger of Smith suffering any abuses on his return to Georgia.

"Such charges, while absurd on their face, have become the routine method of criminals seeking to avoid extradition to Georgia," said Judge Rainey. "I am not personally acquainted with Warden Smith, of Whitfield county, because he was only recently appointed, but his reputation is that of an exceptionally humane man. The state of New York can rest assured that the state of Georgia will exercise the same humanities in treating its convicts that any modern commonwealth observes."

JUDGE DISMISSES WRIT FOR NEGRO'S FREEDOM

Habeas corpus proceedings brought by Jimmie Williams, a negro, contending that he is serving a life sentence on the chain gang without conviction, were dismissed Saturday by Judge E. D. Thomas, and the negro's attorney was advised by the court that the proper proceeding would be an extraordinary motion for a new trial.

Williams, who has served nine years on the gang, was under indictment at the time he was sent up for the murder of his wife, but according to court records has been serving under an indictment returned against another James Williams for another murder. While Williams contended he has never been tried, evidence produced upon the hearing showed that he appeared in court and took a consent verdict with life sentence, but that by error the sentence was entered on the indictment of James Williams, who has never been arrested.

'Certiorari Game' Found Profitable Among Ignorant Inmates of City Jail

By RALPH T. JONES.

On the fringe of every profession, no matter how splendid the main bulk of its practitioners may be, there is an undesirable minority which so manipulates its practices as to degenerate a noble calling into nothing but a money-grubbing racket.

Among the legal fraternity there is a steady decrease of these undesirables, largely due to the efforts of the bar associations of each city. But always there remains the shoddy fringe, casting discredit on an otherwise great calling.

In Atlanta there exists a group of lawyers, generally found in the purlieus of the police station, who, in collaboration with the unscrupulous type of professional bondsmen, have developed a particularly cruel and heartless "racket." This is known as the "certiorari game." Its particular cruelty lies in the fact that its victims are almost exclusively ignorant negroes and poor whites.

The manner of operation is to approach some one who has just been sentenced to a fine or its equivalent in a term in the stockade, in recorder's court. Generally the first approach is made by a "runner" for a professional bondsman.

Appeal Is Suggested.

The suggestion is made that the case just heard has not resulted fairly for the person fined and the hint is dropped that an appeal ought to be taken to Fulton superior court. In many cases the chosen victim agrees. Nearly everyone is resentful just after being fined for some minor infraction of the law.

Of course, to file a certorari of appeal it is necessary to have a lawyer as well as a bondsman. So one of the unscrupulous type of lawyer is called in. He agrees to file the notice of appeal and handle the case for a fee—generally dependent in amount chiefly on how much the "client" possesses.

Then the poor client has to post bond at police station. Say $100. The professional bondsman takes care of this, for a fee. And the certiorari is filed, which simply results in deferring for 30 days the day when the assessed fine, or its prison term equivalent, must be paid. The law allows 30 days' grace for the filing of an appeal for new trial.

In four cases out of five in these police court appeals, there is neither reason nor ground for appeal. Probably in 98 cases out of a hundred.

But the lawyer and the professional bondsmen collect all they can in fees and expenses and so forth from their victims. They will even make an arrangement whereby he can pay them off in weekly installments, taking notes or an assignment of wages. And of course there is no sincere intention of actually carrying the case to the higher court for new trial.

Pays Going and Coming.

The upshot of it all is that the "client" has to pay his fine or serve his sentence, anyway, in 30 days' time, and he has, in the meantime, contributed any amount, ranging from $5 to $50, to a type of leech in the guise of lawyer or bondsman that lives only to fatten off the unfortunate.

Of course not all police court lawyers and not all professional bondsmen are illegitimate. Some conduct their business on a high plane and it is necessary, under the present system, that there be lawyers and bondsmen for police court cases.

William B. Beauchamp, recently appointed investigator for the Atlanta Bar Association, an organization whose membership is open to all lawyers, expects to see the day when the city will pay, on regular salary, one or more lawyers, as necessary, to defend all haled before the bar of justice in recorder's court. In fact, he also hopes to see a similar system in the higher courts.

Should Provide Defender.

"If the public treasury pays for a prosecutor," he says, "it should likewise provide a defender and a fund to help the accused. Under our present system it is undoubtedly true that sometimes an innocent party is convinced when, had he had the financial means to employ proper legal defense and to pay for thorough investigation of his case, his innocence might have been established."

But today the "certiorari game" flourishes in Atlanta's recorder's court environs. It is a source of constant exasperation to police station officials. Oscar Pendley, secretary to Chief T. O. Sturdivant, says that daily at least half a dozen cases are certioraried. Occasionally, of course, one is justified and entirely proper. But in at least 90 per cent of the cases the action is nothing but a "racket" and is rarely carried beyond the initial stage, which simply gives the racketeering lawyer 30 days in which to bleed his victim.

At one time Chief Sturdivant enacted a rule that greatly reduced the number of such cases. He ruled that no prisoner who had certioraried his sentence could work out his term later in the police station. And negroes much prefer a police station sentence to one in the stockade. The chief took the stand that anyone who could afford the expense of an appeal could have afforded to pay his fine in the first place. For in almost every case these certiorari racket cases involve nothing more than $5 or $7.50 fines.

Gallogly Pardon Is Aim Of Cohen Says Governor

Constitution 8-8-34

National Committeeman and William Schley Howard "Trying To Start Racket" To Free Two Youths, Talmadge Charges.

Atlanta

By L. A. FARRELL.

Denying charges of his opposition that a "pardon racket" flourishes under his administration, Governor Eugene Talmadge Tuesday night charged that John S. Cohen, democratic national committeeman for Georgia, and William Schley Howard are trying to start such a racket" to get Dick Gallogly and George Walsh out of the chaingang.

"Jake Cohen and Bill Schley Howard are the men in Georgia close to the millionaires in the chaingang and they're the ones that are trying to start a pardon racket," the governor charged in an address at East Point. "They know no pardon racket exists but they are trying to start one. Everybody knows that Cohen is trying to get Dick Gallogly out of jail and Bill Schley Howard not long ago came to Hugh Howell and told him that there was a $25,000 fee for getting Gallogly's partner in crime out of jail and offered him $5,000 for help.

"Hugh Howell charged Howard with this in a statement several weeks ago and to this day Bill Schley Howard has not denied it."

Law Violation Charged.

Continuing his policy of not mentioning either of his opponents by name, the governor for the first time Tuesday night directly accused Judge Claude C. Pittman, of Cartersville, one of his two opponents, of violating the law in giving a 20-year sentence to Walter Roe, a negro, who was indicted and entered a plea of guilty to a charge of criminal assault on a white woman.

"Under the law of Georgia when that negro entered a plea of guilty to criminal assault the distinguished judge could give him only one sentence and that was death in the electric chair," the governor said. "Everyone who knows anything about law in Georgia knows that. He did it and said the negro was crazy. He did it after Governor Richard B. Russell Jr. and I both had declined to grant him clemency after a jury had sentenced him to death. He gave him the 20-year sentence because he was crazy but the negro, Walter Roe, was just slick enough and sensible enough to escape seven weeks after he entered the chaingang and today he is roaming this or some other state at liberty."

The governor also denied that he had ever called CCC workers "loafers and bums," and in answer to a question from one of his hearers regarding this he replied:

"I deny that charge. I do not look down on any man."

The crowd which filled the East Point auditorium and overflowed into the park outside applauded warmly and repeated the applause when the chief executive added:

"And I don't look up to any man either."

Explains Fox Pardon.

Answering one of several hecklers who attacked him at the outset of his address but who were silent after being answered the first few times, the governor said he pardoned Phil Fox after serving 10 years because Fox "has reformed and become a Christian gentleman." Fox was given a life term for the slaying of Captain William Coburn in a Ku Klux Klan controversy here in 1922.

"Have you ever met Fox?" the governor asked the heckler, perched high in the gallery.

"Yes, I know him slightly," the man responded.

"Well, you ought to get to know him better," the governor advised. "He is reformed and he is making good. He is a fine Christian gentleman now."

Henry Davidson Presides.

The meeting Tuesday night was under the auspices of the Fulton County Talmadge Club with Henry Davidson, president of the club, presiding, and C. W. Fowler, city clerk of East Point, acting as master of ceremonies. The auditorium was decorated with American flags and the flag of Georgia while directly in front of the speaker's stand there were pictures of President Roosevelt and Governor Talmadge, side by side.

For the first time since launching his campaign the governor called upon the people of Fulton county to send to the legislature members of the house and senate who will support his $3 auto tag order, his suspension of the public service commission and his plan to divert $2,000,000 of accrued state highway funds to the general treasury to pay past due salaries of school teachers and past due pensions of Confederate soldiers and their widows.

"These are three of the most important items in my program and unless the people send representatives and senators who will vote to support these measures they will fail," the governor said.

The governor reiterated that he has carried out the five pledges he made in his 1932 campaign, to reduce the price of auto tags, to eliminate waste in the highway department, to plan for paying the teachers and the veterans, the reduction of taxes and the reduction of utility rates.

"The opposition to me does not ask you to kick me out because I have unfilled my promises," he said. "They know they cannot get anywhere in the face of those facts."

Outlines New Program.

He repeated that his new program calls for the creation of the office of lieutenant governor, a four-year term for governor and the complete wiping out of the state's $5,000,000 deficit within the next two years.

"If I am re-elected I will give you my pledge that at the end of my next term the state of Georgia will not owe a dime," he said. "And taxes will not be raised to pay off this deficit."

Before the governor spoke the audience was addressed by Mrs. J. T. Livsey, prominent East Point clubwoman; W. P. Middlebrooks, well-known lawyer; Sam D. Hewlett, Atlanta attorney, and Judge C. W. Worrill, of Cuthbert. All predicted that the governor would be re-elected by a big majority, the Atlantans seeing a sweep of Fulton county and Judge Worrill forecasting that the governor would carry Judge Pittman's home county of Bartow.

Governor Talmadge was introduced by Colonel Ed Humphries who called him the greatest governor in the state's history and predicted his re-election overwhelmingly. Colonel Middlebrooks is a prominent businessman and industrialist of East Point.

Crime-1934

Georgia
6

Move To Abolish Chain Gangs Is Launched by Bishop Reese

Constitution 2-17-34

SAVANNAH, Ga., Feb. 16.—(AP)—An attack on the chain gang system in the south is contained in a letter signed by scores of southern ministers and others appealing to governors and legislators to abolish the system and enact laws to recast "the entire penal system."

Atlanta, Ga.

The letter, prepared by the Rt. Rev. F. F. Reese, Episcopal bishop of Georgia, states a large percentage of all convicted persons might be safely paroled under the care of trained probation officers "at great economy to the state and advantage to the prisoner."

"In no other particular is the application of the Christian principles of our civilization more necessary than in our treatment of prisoners," the appeal says. "The Christian point of view is the sacredness of every human life and the restoration of the erring. . . . The idea of punishment instead of the reclamation of the offender is still deeply imbedded in the public mind. . . .

"The situation gives rise to serious consequences and sometimes to shocking brutalities of which the people are only on occasion made aware. They are confined to no section of the country. . .

"There is no question but that our southern states are relatively backward in their treatment of crime and of prisoners, especially of negro prisoners. The chain gang system exists nowhere else in the nation except in a few southern states."

"Only those who cannot be safely returned to society should be kept in long-time custody," the appeal says.

"There should be no object or occasion left for any official to make money out of arrests, convictions, supplies and contracts. . . .

"Control of prisons and jails and of all prisoners and persons awaiting trial should be taken out of politics and placed under the supervision of non-partisan boards and trained officials and guards."

The letter details 14 principles which are advocated in dealing with convicted persons. It reads:

"Specifically, we offer the following platform of principles, now well established in dealing with crime, as a guide for the treatment of offenders. We ask all citizens to ponder them long and deeply:

Fourteen Points.

"1. The consistent object and guiding principle in handling prisoners should be the protection of society by the reclamation of the criminal. It is to the interest of society that this shall be done, since the criminal will return after a while to society.

"2. Imprisonment, while necessary under present conditions, is degrading to the prisoner and his family and costly to the taxpayer. A large percentage of all convicted persons might be safely paroled under the care of trained probation officers, at great economy to the state and advantage to the prisoner. Slightly over one-half of all federal prisoners are now out on parole under probation officers. The indeterminate sentence and suspended sentence are a necessary part of a progressive penal code.

Constitution 2-25-34

"3. A trained probation service is needed in every state in the south. It should be organized on a country-wide basis, with a state supervisory bureau. Every criminal court should have the service of such officers, women as well as men, and there should be colored officers, trained for the purpose in colored schools, to deal with colored offenders.

"4. Juvenile offenders, at least to the age of 16 and preferably 18, should not be imprisoned or brought before courts having criminal jurisdiction, but before juvenile courts where the procedure is not criminal but is based upon social treatment, and where the delinquent is placed under the care of probation officers. This should apply to both white and colored delinquents.

"5. Women should be segregated from men, and first offenders from experienced criminals. Women prisoners should always be under the care of officials of their own sex.

"6. White and colored prisoners should be treated with impartial justice and by the same methods.

Individual Treatment.

"7. Every prisoner, upon sentence, should be studied individually, by competent persons as to his history, education, skill, health and mental condition; and the treatment he receives and the methods used for his improvement should be based upon these findings.

"8. The method of parole should be used as soon as the prisoner is in condition to be restored to his freedom. For his own protection as well as for the protection of society, he should be released under the care of a probation officer. He should be received by society sympathetically and given a chance when he is released and should have money from his own earnings while in prison. Only those who canont be safely returned to society should be kept in long-time custody.

"9. Road and field work under proper conditions is wholesome and desirable, but the chain gang should be abolished. All leasing of prisoners to private corporations should be ended. Prisoners should work reasonable hours under state instead of county direction and control, and should receive wages for themselves and their dependents, and should be protected by workmen's compensation.

"10. Prisoners who know no trades should be taught trades, when possible, while in prison. Those who are illiterate should receive at least elementary education.

"11. All prisoners should be well fed on a balanced diet, safely housed under sanitary conditions, and protected against sickness, accident and disease. There should be no object or occasion left for any official to make money out of arrests, convictions, supplies and contracts.

"12. All jails and prisons should be studied and frequently inspected by the state authorities as to their safety, sanitary conditions and suitableness for the purpose of reclaiming the prisoner; and as rapidly as possible improper buildings should be replaced by modern structures built in accordance with the most approved methods. County jails should be consolidated into larger units, a few for a state and placed outside of cities.

"13 Control of prisons and jails and of all prisoners and persons awaiting trial should be taken out of politics, and placed under the supervision of non-partisan boards and trained officials and guards. Prisoners should never be used as guards.

"14. Great attention should be given to the moral and spiritual welfare of the prisoner with a view to the fullest use of education and religion for his restoration to society as a good and respected citizen.

"We are confident that we can pledge the assistance and support of the churches of our southern states to public officials in carrying out this program. We recognize that it must be a long-time effort, but we insist that the excellent beginnings which have been made in all our states should be followed up vigorously. We call upon our ministers, our church editors, our colleges and the citizens of our states to set about the task. It will be vigorously opposed by interested persons who desire political control or who seek commercial profit. These will endeavor to befog the issues; but the cruelty and disastrous effects of the present system upon great numbers of helpless men and women and upon their families, demand that we act."

List of Signatures.

The signatures are as follows:

Rev. Will W. Alexander, D. D., director, Commission on Interracial Co-operation, Atlanta, Ga.; Dr. R. E. Blackwell, president, Randolph-Macon College, Ashland, Va.; Bishop H. A. Boaz, Methodist Episcopal Church, South, Little Rock, Ark.; the Right Rev. T. D. Bratton, D. D., bishop of Mississippi, Jackson, Miss.; Rev. Thomas R. Bridges, rector, All Saints' church, Mobile, Ala.; Dr. O. E. Brown, former dean, school of religion, Vanderbilt University, Nashville, Tenn.; Dr. F. W. Burnham, pastor, Seventh Street Christian church, Richmond, Va.; Rev. Charles Clingman, rector, Church of the Advent, Birmingham, Ala.; Rev. J. R. Cunningham, president, Presbyterian Seminary, Louisville, Ky.; Rev. A. B. Curry, pastor emeritus, Second Presbyterian church, Memphis, Tenn.; the Right Rev. Thomas C. Darst, D. D., bishop of East Carolina, Wilmington, N. C.; Mrs. J. W. Downs, secretary, woman's work, home department Methodist Episcopal Church, South, Nashville, Tenn.; Rev. Thomas E. Dudney, rector, Church of the Good Shepherd, Jacksonville, Fla.; the Right Rev. R. A. [illegible]lay, D. D., bishop of upper South Carolina, Columbia, S. C.; Dr. B. F. Finney, vice chancellor, University of the South, Sewanee, Tenn.; Rev. Graham Faruk, pastor, Central Christian church, Dallas, Texas; the Right Rev. Thomas F. Gailor, D. D., bishop of Tennessee, Memphis, Tenn.; Rev. Mortimer Glover, rector, Christ church, Macon, Ga.; Rev. Moultrie Guerry, chaplain, University of the South, Sewanee, Tenn.; Dr. Rolvix Harlan, professor of sociology, University of Richmond, Virginia; Rev. Ivan Lee Holt, pastor, St. John Methodist Episcopal Church, South, St. Louis, Mo.

Dr. J. Ashby Jones, pastor, Baptist church, St. Louis, Mo.; Rev. W. P. King, editor, Christian Advocate, Nashville, Tenn.; Dr. Walter L. Lingle, president, Davidson College, Davidson, N. C.; Rev. Homer Mc Millan, D. D., executive secretary, home missions, Atlanta, Ga.; the Right Rev James M. Maxon, D. D., bishop-coadjutor of Tennessee, Chattanooga, Tenn.; Rev Walter Metcalf, chairman, public morals and social service, Ministers' Association, Tampa, Fla.; the Right Rev. H. J. Mikell, D. D., bishop of Atlanta, Atlanta, Ga. Rev. A. C. Miller, editor, Arkansas Methodist, Little Rock, Ark.; Rev. P. D. Miller, D. D., educational secretary, home missions, Atlanta, Ga.; Rev. W. A. Milton, rector, St. James' church, Wilmington, N. C.; Rev. Adiel J. Monchief Jr., pastor, Bayshore Baptist church, Tampa, Fla.; Bishop John M. Moore, Methodist Episcopal Church, South, Dallas, Texas; Rev. J. W. Moore, presiding elder, Methodist Episcopal Church, South, Peterburgh, Va.; Rev. E. C. Nance, president, Ministers' Association, Tampa, Fla.; Mrs. W. A. Newell, superintendent, Christian social relations, Woman's Mission Council, Methodist Episcopal Church, South, Salisbury, N. C.; Rev. J. W. Perry, presiding elder, Chattanooga district, Methodist Episcopal Church, South, Chattanooga, Tenn.; Rev. William F. Quillian, D. D., general secretary, board of Christian education, Methodist Episcopal Church, South, Nashville, Tenn.; the Right Rev. Clinton Quin, D. D., bishop of Texas, Houston, Texas.

The Right Rev. Frederick F. Reese, D. D., bishop of Georgia, Savannah, Ga.; Dr. J. H. Reynolds, president, Hendrix College, Conway, Ark.; Rev. William Dunn Ryan, pastor, Christian church, Houston, Texas; Rev. David H. Scanlon, D. D., First Presbyterian church, Durham, N. C.; Dr. Charles S. Selecman, president, Southern Methodist University, Dallas, Texas; Rev. James M. Shelburne, pastor, First Baptist church, Danville, Va.; Rev. W. A. Smart, professor Biblical theology, Emory University, Emory, Ga.; Dr. Alfred F. Smith, publishing agent, Methodist Episcopal Church, South, Nashville, Tenn.; Rev. J. Richard Spann, pastor, First Methodist church, Baton Rouge, La.; Professor Alva W. Taylor, school of religion, Vanderbilt University, Nashville, Tenn.; Rev. A. E. Tibbs, president, Ministerial Association, New Orleans, La.; the Right Rev. H. St. George Tucker, D. D., bishop of Virginia, Richmond, Va.; Rev. John Moore Walker, rector, St. Luke's church, Atlanta, Ga.; Rev. E. O. Watson, former editor, Southern Christian Advocate, Beaufort, S. C.; Rev. H. W. Wells, rector, St. John's church, Laurel, Miss.; Rev. Walter M. White, pastor, Linden Avenue Christian church, Memphis, Tenn.; Rev. R. Murphy Williams, pastor, Presbyterian Church of the Covenant, Greensboro, N. C.; Rev. C. B. Wilmer, D. D., formerly professor practical theology, University of the South, Tampa, Fla. the Right Rev. John D. Wing, D. D. bishop of South Florida, Orlando, Fla.; Dr. George B. Winton, dean, Vanderbilt school of religion, Nashville, Tenn.; Dr. A. C. Zumbrunnen, dean of students, Southern Methodist University, Dallas, Texas.

GEORGIA 'GANG SYSTEM TO SURVIVE UNCHANGED

Constitution 2-14-34

Rainey Says Building of New Prison Will Bring Few Revisions.

Atlanta, Ga.

Unless there is a radical change in state laws the present chain gang penal system in Georgia will survive the construction of the new $1,500,000 prison in Tattnall county with little variation, Chairman E. L. Rainey, of the prison commission, said Saturday.

Present laws, he said, provide for the convicts to be used by counties on road work, and prohibit manufacture or production with prison labor of any goods which would compete in the open market with the products of free labor.

For a time there was a considerable movement among the counties for abolition of their chain gangs, Rainey said, but he charged that condition to the depression and said that since business has improved many of the counties have abandoned their plans to drop the chain gangs, or have asked for convicts to be sent them.

"Recently," he said, "when counties have notified us they wanted us to take their prisoners back, we have been able to place them in two or three days with some county that wanted more men. I think the county objections to the chain gang system have about died out."

It would not be possible to set up an industrial prison system, he went on, without changes in the laws which allow the convicts to produce only such goods as the state itself or its institutions can use.

He added, however, that the new plant is greatly needed to relieve congestion at the present state farm at Milledgeville, where 700 prisoners are confined in quarters designed for less than half that number.

As now contemplated the new prison adjacent to the state's new farm in Tattnall county would be able, if necessary, to accommodate about 3,000 of the 7,000 persons now making up Georgia's prison population. That number, members of the commission said, would cover most of the felony prisoners.

ACCUSES WHITE MEN

To the Editor of The Telegraph:

We're on a tri-weekly route and only get mail Monday, Wednesday and Friday. I received my Saturday paper Monday and found a publication needing correction, Saturday, m., Feb. 17, page 8, top of first column, Sub officers Refuse to Probe Torture. Please correct. Instead of two Negroes gaining entrance and holding up John Dennard and family of Crawford county, it was two fair-skin white men who wired our hands behind us and wired our feet together, etc. Please note the correction.

JOHN R. DENNARD.

Rt. 3, Box 57, Byron, Ga.

TIFTON, GA.
GAZETTE
FEB 12 1934

WIND BLOWS NEGRO FUGITIVE BACK TO LOWNDES GANG

From The Valdosta Times:

Sleet fell, and the wind blew, and blew Joe Davis, negro life-termer who escaped from the Lowndes county chain-gang Wednesday, up out of the river swamp and to Jarson Jeff Brown's home near Ousley, and now he's back at the county stockade to resume his endless sentence.

The negro, who had been hiding in the swamp, appeared at the home of Parson Brown, a well known old negro, at about four o'clock, Saturday morning. His teeth were chattering and he was nearly frozen by the cold. Brown communicated with Joe McIntyre, at Ousley, and the latter took the negro into custody and telephoned Sheriff J. L. Spivey. The sheriff and a deputy went to Ousley, took charge of the fugitive, and returned him to the stockade, where it's not so cold and a hot meal is served three times a day.

Davis, convicted of slaying Belle Peterson, a negro woman, was first sentenced to die in the electric chair, but Governor Talmadge commuted his sentence to life imprisonment, after a large number of men and women of Valdosta signed a petition for clemency.

NEGRO BURGLAR GETS LONG TERM

Telegraph

Ed Preston Sentenced to 20 Years Here After Second Offense and Conviction

Ed Preston, Negro burglar, must serve 20 years because he is a previous offender. He pleaded guilty yesterday before Judge Malcolm D Jones in Bibb superior court and received the sentence. 4-1-34

Preston admitted breaking into the A. T. O. fraternity house, near Mercer university, and stealing numerous items. In 1931 he was sentenced to serve three to five years for burglary, and had been free only a short time when he robbed the fraternity house.

Another long sentence was imposed on Ernest Few, Negro accused of four crimes. He must serve two to four years for theft of three hogs from the country home of Harry Pape, probation officer, and 10 years for breaking into the Southern railway's tool house and stealing a number of tools. Two other burglary charges against him were nol prossed.

A four year sentence was imposed on Robert Smith, Negro who pleaded guilty to breaking into the parked auto of J. J. Davis and stealing 56 bathing suits.

Joe Ellis and Harold Warner, charged wtih auto theft, were sentenced to four and two years, respectively.

NEGRO IS GIVEN YEAR AS RESULT OF CRASH

Constitution

Harrison Walton Sentenced for Wrecking Car Owned by Marietta Physician.

4-11-34

A 12-month chain gang sentence was imposed Tuesday by Judge Jesse M. Wood, in city criminal court, on Harrison Walton, negro of Williamson, Ga., on a charge of "assault and battery with an automobile."

Evidence in the case showed that Walton, who was driving home a $20 used car ran into the automobile of Dr. E. L. Harris and Mrs. Harris, of Marietta, wrecking the physician's car and inflicting injuries upon the occupants which necessitated payment of more than $1,000 in doctor's bills.

Judge Wood fined Stanley Odum $50 and gave him six months' probation, on a charge of driving while intoxicated. G. O. Brewer, of 1312 Hill street, drew a $25 fine and the same probation on a similar charge. Driving rights of both men were taken away.

Thomas Williams, 20, and Mathew Westmoreland, 18, both negroes, were sentenced to serve terms in the city prison Tuesday after conviction in recorder's court on charges growing out of an automobile accident last Friday.

Patrolman C. R. Adams, a special investigator of accident cases, charged the two youths with participation in an accident in which a negro boy was knocked off a bicycle on Hilliard street. The two men were charged with leaving the scene after the accident.

Williams was sent to the stockade for 30 days in lieu of a $27 fine, and Westmoreland drew a sentence of 60 days in lieu of a fine of $54 in two charges.

Fulton county grand jury took a hand in the traffic situation Tuesday when a true bill charging involuntary manslaughter was returned naming Arthur Franklin, who is charged with running over O. H. Whitly at Piedmont avenue and Armstrong street, inflicting injuries which resulted in death.

Another bill charging assault with reckless disregard for human life named Madison Allen, negro employe of Base Hospital No. 48, charged with running over Albert Pruitt, 8-year-old school boy, as he got off of a street car on Peachtree road on March 22.

DELAYS THAT ABET CRIME.

Constitution

The extent to which crime detection and prevention efforts are handicapped by long-drawn-out delays possible under the laws regulating court procedure is pointed out in a strong communication, appearing elsewhere on this page, from Chief of Police Sturdivant.

The correctness of Chief Sturdivant's position that speeded up trials will wield a powerful influence in decreasing crime is borne out by the crime records of Canada and other countries of the British Empire. British justice is quick and certain and there are very few loopholes through which guilty men can secure long postponement of just punishment.

The result is reflected in the fact that during 1933 the 14 principal cities of Canada, with a population of more than 2,500,000, there were less than one-third the homicides than were committed in Atlanta alone.

The fault does not lie with the judges, who, as a rule, do everything in their power to speed up the hearing of cases before them but rather with the mass of technicalities with which our rules governing court procedure are burdened.

Attorneys for guilty men are quick to avail themselves of these technical loopholes in order to postpone their client's punishment or, as frequently occurs, to keep a case going from one court to another until finally acquittal is gained through the disappearance or death of vital witnesses.

No better service to the state can be rendered than for the Georgia Bar Association to bring about the reforms in court procedure necessary to eliminate these long delays in the extension of proper punishment to criminals.

Year after year the bar has attempted to effect these reforms, but there have been enough lawyers in the legislature, who feared that their incomes would be lessened, to defeat these efforts. Every leading lawyer and the judge of every court in the state has given warm support to the movement to modernize our criminal code, and the failure of their efforts is largely responsible for the constantly mounting totals of crimes of all kinds, and the difficulty experienced by our peace officers in holding law-breaking to the minimum.

The bar association has announced that it will once more submit to the legislature at its session in January a complete revision of the judicial code.

BUTTS PENAL CAMP CHARGE DENIAL HEARD

Telegraph

State Prison Commission Studying Case After Taking Testimony of Accused Men

5-3-34

MEN PUNISHED IN STOCKS

Macon, Ga.

Illegal Use of Convicts for Personal Work Denied by County Commissioner

ATLANTA, Ga., May 2 (AP)—Denial that Butts county convicts were subjected to cruelties was made before the state prison commission today by acting Warden A. A. White in answer to an order to show cause why he should not be removed from office as the result of charges made in a report by a senatorial investigating committee.

The prison commission took the case under advisement.

Denying the specific charge that convicts were strung up by their hands and feet for infractions of the rules, White said prisoners were punished in stocks, the models of which had been obtained from the state prison farm at Milledgeville, but that in all cases they were seated and did not hang by their hands or wrists.

He said that he alone punished convicts, in compliance with rules of the prison commission, and said that a report of each individual punishment was filed with the commission.

Dr. Howell Denies Charge

Dr. O. B. Howell, chairman of the board of Butts county commissioners, and Butts county physician, who had been charged in the senatorial report with misuse of convict labor, also appeared before the commission and denied that he had worked convicts illegally in excavating a basement under his house for a private hospital.

"I told the county they could have the dirt for use in filling in a roadway," he said, adding that several prisoners and a guard had worked from 20 to 30 days in hauling the dirt away.

Dr. Howell said he had personally paid $138 in salaries for the guards and food for the convicts working at the job.

The physician testified the hospital was for the free use of sick convicts, as well as other needy persons in Butts county, without charge, and said there was no other clinic available for convicts who became ill.

Cites His Record

He said that when he went into office in 1930 Butts county was a half million dollars in debt, and that the present indebtedness has been reduced to about $20,000. He said also that the county has purchased some $60,000 worth of supplies and tools, all of which has been paid for in cash.

The commission chairman said taxes in Butts county has been reduced 20 per cent since he had taken office, and that he hoped to make a further 20 per cent reduction this year.

Superintendent A. A. Howell of the convict road camp, who was charged in the senatorial report with using convict workers illegally in planting and cultivating a garden at his home, also appeared and denied the charges.

Superintendent Howell said that he had not planted a private garden since 1924, but that this year he had cleared some land on either side of his house and put in some vegetables for the sole use of the convicts. He said that 10 hours of convict labor had been used in this task.

'Caused by Politics'

E. L. Redmond of Jackson, attorney for Warden White, told the commission that "we consider this whole thing is motivated by politics".

"It is unfortunate," he said, "that the senatorial committee in investigating convict camps in various parts of the state has chosen this particular time, just before Dr. Howell is running for re-election, to file these charges."

A score or more Butts county citizens appeared as witnesses for the men, but were not asked to testify.

Crime-1934

DES MOINES, IA.
TRIBUNE CAPITAL

MAR 29 1934

EQUALITY BEFORE THE LAW.

To the Editor of The Tribune:

Speaking as a Negro voter, I wonder how many of us are expected to stand for the present system of handling murders in this city.

Now another Negro lies in wait for one who he said stole from him. This Negro takes the law in his own hands and slays his aggravator. "No inquest will be held." Every time a Negro slays another Negro, there are these same lines, "No inquest will be held."

Are we a lot of cattle or sheep to be slaughtered at will? Are Negroes denied the same consideration for our crimes against each other that we get for our crimes against the other race?

That is the only fair way to do things. If we can't get it under the present county setup, it is time we bent our efforts to secure a new one.—**Allen Ashby, 1167 Eleventh st., Des Moines.**

Crime-1934

Louisiana.

NEW ORLEANS, LA.
ITEM

SEP 18 1934

Murder In Triplicate

NEW ORLEANS had its usual quota of traffic accidents over the last week-end, some of them serious enough to be reported in the press, most of them merely "routine stuff." One accident was unusual. A Negro woman was run over by three automobiles in succession—and none of the drivers stopped. One man was arrested, on suspicion of having been at the wheel of one of the cars in this singular procession.

Horror and indignation upon such occasions commonly exhaust themselves in words. But here and there a community, afflicted as New Orleans is afflicted by careless and criminal driving, takes preventive and punitive action. Evanston (Ill.) reports progress:

"Police investigated 953 accidents in which 310 persons were injured and five killed. Justice moved swiftly and without political interference to arrest 388 persons. Prosecutors unswerved by the pressure of outside influence came through with 236 convictions, a two-out-of-three stroke for legal talent. Well do the citizens of Evanston recall that prior to the launching of the new police watch, 29 convictions was the yearly count... Victims and bystanders reported 114 hit-and-run drivers. Of these 90 were caught and 59 convicted. Previous to the new police technique, the best the courts could do on the evidence brought in was one conviction to every seven hit-and-run operators. . . ."

There are also cities like New Orleans. An insurance official reports:

"In minor offenses, the courts either voluntarily or because of lack of evidence allow an extraordinarily large number of drivers to slip through the enforcement net without any sort of penalties. One city with 40,000 arrests for failure to stop at traffic signals suspended sentences for more than 21,000. Out of 800 arrests for driving after drinking, another large city protested only feebly with 182 convictions. The efforts of 1600 motorists to jump red lights found the courts striking back at only one out of five. . . . Something side-swiped the enforcement machinery in still another municipality which reported 2800 sentences imposed in a list of 34,340 cases brought into court. . . . And Boston is not exactly proud of the fact that it found a driver in its precincts who had operated a car for 19 years without a license. . . ."

These are lamentable conditions. But reforms achieved by Evanston and some other cities inspire the hope that even a community that sends three hit-and-run fiends one after another over a single victim's body can protect its citizens if it determines to do so.

A citizens' committee has been formed in Kansas City to follow traffic cases through the courts and report publicly upon reasons for non-convictions.

A "fixless" traffic system has been evolved in Syracuse (N. Y.). Warrants there bear the signature of a judge, thus making every traffic ticket a court summons which even the politically "well-heeled" traffic rule violator must take seriously.

New Orleans can reduce its traffic accident toll by half, or more. But it will not do so until public opinion is organized to demand vigorous and sustained action.

Crime - 1934

Maryland

Colored Cops Would Decrease Crimes

Supreme Bench Jurist Feels They Would Cut Crime Figure.

PROBATION DEPT. IN NEED OF AID

New Wedlock Laws Are Wanted

BALTIMORE — Colored policemen would help to reduce crime, if they were made a part of the Baltimore law enforcement program, according to Judge Joseph N. Ulman, white, of the supreme bench, who spoke at the Institute of Public Affairs, Friday.

During the course of his address on "Adult Delinquency," he pointed to the need of reforms in the present criminal law machinery. He stated that intelligence among policemen was a thing which he believed would stop a number of crimes, and he said: "I am looking forward to the time when the idea of helping to reduce crime goes through the police force."

"When that idea goes through," he added, "certainly we will have colored policemen." In strengthening his idea, he stated that colored policemen had brought about the reduction of crime in other cities, and it would be reasonable to suppose that they would do the same thing in Baltimore.

Laws Nearly Fail

He branded the administration of criminal law as being nearly a flat failure and he declared that society was concerning itself too much with the punishment of crime and not enough with the rehabilitation of the criminal.

The Baltimore policemen make one arrest for every two crimes committed, according to the speaker, a record which he described as "nothing to throw your hat up in the air about."

The probation department in the city, with some of its workers carrying as high as 337 cases, is very much in need of more men and money, he declared.

Exit Important

The important day for a criminal was called "the day when he gets out of jail," and not the day when he is sentenced to a term of years in the penitentiary.

"We spend," said Judge Ulman, "about $250 or $350 a year on a criminal in jail, and we ought to spend at least $75 a year on him when he gets out."

The judge stated that he did not have the slightest sympathy for a professional criminal, but he declared that he was interested in persons who were victims of circumstances. He asserted that the majority of persons who get into the toils of the law are not professional criminals.

Crime -1934.

Massachusetts.

BOSTON, MASS.
TRAVELER

JUL 11 1934

Inspector Cleared, Negro Charged

Negro janitor George Borden of Roxbury was shot while trying to escape from a policeman and a motor registry inspector who had come to serve warrants for automobile violations.

In court, a judge declined to issue a warrant against the inspector, but did allow warrants charging the victim with assault and battery upon the policeman and with threatening the officer.

The victim was not there to defend himself. He was in the City Hospital, his name on the danger list. A civilian said that he had witnessed the proceeding and that the Negro made no threatening movement.

George Borden is a Negro janitor. Negroes have rights. Janitors have rights. And we are not satisfied that the rights of either George Borden or the general public, black or white, are being fully protected.

Here was a man accused of violations of the automobile law. He was fleeing arrest, not immediately after the commission of a crime. He was shot, by somebody.

If the life of either of the arresting officers was in jeopardy they had a right to shoot—to shoot to kill, if necessary. The question arises on whether they were in such peril. The public is anxious to know. The incident is by no means closed. If the courts are through with this aspect of the case, public opinion is not through. If legal action is found to be unnecessary, police and registry department heads should take steps to protect the public against their men's bullets.

When the Law Misses Its Aim

After twenty-three months in state prison, Bowen Dillingham, a Negro, was granted a full pardon a few days ago by Governor Ely and the executive council. The man had been convicted of assault and armed robbery, and sentenced to serve eight to ten years. That he served but twenty-three months was extremely fortunate. For new evidence convinced the Governor and council that Dillingham was innocent of the crime charged and should never have gone to prison at all.

Here is another item for Professor Edwin M. Borchard of Yale Law School, who has for years been compiling and analyzing cases where innocent persons have been punished, or escaped punishment—even capital punishment—by hairbreadths. Some instances he has listed are almost incredible. Millions of dollars, and many years of study and effort have been devoted to building up the structure of criminal prosecution and jurisprudence; yet there are persons every year who suffer at the hands of the law for offenses later shown to have been committed by others. The Dillingham mistake, incidentally, would be classified under the large group ascribed by Professor Borchard to mistaken identity.

What to do about such cases has long been pondered by legal authorities. Obviously where the person unjustly punished is not a criminal type the people at large would desire that he be somehow recompensed. And some attempts at fixing scales of such recompense, in money, have been made. Yet no general satisfactory system has thus far been discovered. Possibly something of that sort may be evolved in time.

For the present, however, the remedy would seem to lie in increasingly painstaking application of the law so as to minimize such errors of injustice as Professor Borchard notes. His studies have been valuable in showing how such mistakes occur and in suggesting thereby how they may best be prevented. And while even a single instance of innocence being punished is highly regrettable, happily the number of such instances is extremely small in comparison with the number where the law finds its true mark.

BOSTON, MASS.
TRAVELER

JUL 13 1934

SHOOTING OF NEGRO WHO FLED ARREST FOR MISDEMEANOR

People's Editor:

Congratulations on your inspiring editorial "Inspector Cleared, Negro Charged"! You had the courage to speak out what countless thousands merely thought. While the fact that the individual assaulted with a revolver in this case happened to be a Negro has some significance, in my opinion there is an even greater fundamental issue involved; namely the immunity with which various public officers of the law may commit such acts.

True, a judge held a hearing, but where the one question was the threatening conduct of the injured man, the judge did not see or hear that man, and, in fact, went to the other extreme and issued warrants for assault and battery against the wounded man. Didn't the court care to consider that this man was wanted merely for several automobile violations, misdemeanors, committed some time before, and that he was not seeking escape from a crime immediately committed? Didn't the court care to consider that this man was fleeing, and that he was shot at four times and certainly had fired no shot. Was the court satisfied that the life itself of the inspector was in danger from an unarmed, fleeing man, who had not then committed any crime?

Jamaica Plain. A. K. S.

WORCESTER, MASS.
GAZETTE

SEP 18 1934

Crime - 1934

Michigan.

DETROIT, MICH.
NEWS

JUN 8 1934

WHY WAS JOE LIGHTSY AT LARGE?

Members of the Detroit Police Department whose work culminated in the arrest of Joe Lightsy deserve the thanks and congratulations of the public. When the body of murdered Martha Kangas was discovered, the only clue afforded the police was a flattened bullet. Nevertheless, no Sherlock Holmes, no Hercule Poirot was needed to solve the crime; just astute, regulation police work, aided by a little science.

As soon as the police knew that the bullet that killed Martha Kangas and the bullet that killed William Kraft were fired from the same gun, they knew the murderer was a Negro, and that he was probably a taxicab driver. Then they ran down their man. There was no miracle of deduction about it—it was just efficient police work.

But there is another side to the case on which there can be no congratulations, but on the contrary a feeling of futility and discouragement.

Joe Lightsy had been arrested nine times, his character was well-known, and yet he was at large!

He was on parole, after serving a minimum sentence for automobile stealing, when he committed the crimes of which he is now charged.

He was also loose on a bail bond of $1,000 on a charge of carrying concealed weapons.

Thrice he had been arrested on charges of assaulting white women, and again for purse snatching. On one of these assault charges he was tried and acquitted.

Something is wrong with our scheme of justice when a man with such a record can be allowed loose. Is the trouble with the law, or with those who administer the law? Admittedly it is difficult to secure conviction, or even trial, when a white woman is assaulted by a Negro. In most cases of that sort, the woman does not want to appear in public as the complaining witness; she fears the publicity the notoriety—and who can blame her? But our laws require a public hearing and trial. If cases of this sort could be heard in private, with publication suppressed except for the verdict, the police would have a far more effective weapon against a class of persons who too often escape conviction, and who, for lack of any other remedy, are allowed to go free to continue their depredations.

Again, something is queer with our parole system when such a man can be released from prison and not be kept under more strict supervision. Why was he released at all at the expiration of his minimum sentence? We find in this case justification for the claim of Prof. John B. Waite, of the University of Michigan, that our theory of criminal law is all wrong—that society is not efficiently protected by sentence and punishment, but should require the segregation of known criminals, forever if necessary. In the absence of such a program, a duty devolves on our parole officers to exercise all possible care for the defense of the public. The release of Joe Lightsy on parole is by no means the only recent case for which they have incurred criticism.

Law-abiding citizens must be protected. The police are doing a good job. The prosecuting attorney's office is as efficient as any in the country. But something is wrong somewhere, and people are not safe while known criminals and morons can run at large, either in spite of the machinery for controlling them, or because it, and certain persons in authority, are ineffective.

Crime - 1934

Mississippi.

Negro Will Hang For $1.85 Robbery

GREENWOOD, Miss., Feb. 16.—During the noon recess of the "whisky highball" trial of Dr. Sara Ruth Dean, Judge S. F. Davis today sentenced a negro to hang for robbing a merchant of $1.85.

The negro, O. C. Brown, 21, must die March 23, the first person to hang under Mississippi's new law decreeing the death penalty for robbery by firearms.

ORLANDO, FLA.
SENTINEL
FEB 21 1934

Death for $1.80

A NEGRO IN Mississippi has been sentenced to death for stealing $1.80.

In that state theft with firearms is a capital offense. The negro was armed, when the robbery was committed.

Often the best intended laws over step their mark. Certainly the theft of $1.80 is not a crime punishable by death and it was not the intention of the lawmakers that such a misdemeanor would receive the extreme penalty.

However, when one uses a firearm in committing a theft, he prepares himself to slay, if the circumstances for his safety necessitates it.

It is because he carried the death dealing weapon in committing his act, and not the act itself, that caused the judge to impose the death sentence.

However, the fact that the gun was not used, should move the governor to commute the sentence to life. To condemn a man to death for the theft of $1.80, no matter what weapon he carried, should be quite a weight on any judge or governor's conscience.

MERIDIAN, MISS
STAR
MAR 14 1934

MERCY AND REASON

O. C. Brown, Greenwood negro sentenced to hang for a robbery with firearms that netted but $1.85, gets a new lease on life through an appeal to the state supreme court.

The negro, convicted of robbing Joe Fiume, peddler, of the $1.85, was scheduled to hang next week.

While we have every respect for the law and feel that it should at all times be enforced, we still "can't see" the justice in hanging a man—of no matter what color, race or creed—for a $1.85 robbery. This is one case in which justice should be tempered with mercy—and reason.

2 NEGROES SOUGHT FOR TRAIN ATTACK

Mobile Youth Is One Of Five White Boys Beaten On Louisiana Freight

3-25-34

VICKSBURG, MISS., March 24.—(AP)—Authorities today pushed an investigation into an attack by two negroes on a group of five white youths aboard a freight train, which resulted in the wounding of three of the latter. The attack occurred last night at Tallulah on the Louisiana side of the Mississippi River.

The youths reported the negroes robbed and then assaulted them, afterwards cutting an air hose on the train and escaping into nearby woods.

Fado Johnson, of Natchitoches, La., hit over the head, fell from the moving train and suffered serious injuries. Virgil Robertson, of Mobile, Ala., was shot in the arm, and George Easley, of Shreveport, was shot in the hand during the altercation. Two of the party, Norman Easley, of Shreveport, and Pat O'Leary of Chicago, escaped unhurt.

Tallulah authorities said similar attacks on freight train transients had been reported in the same vicinity recently.

MERIDIAN, MISS.
STAR
MAR 11 1934

REASON SHOULD APPLY

A negro robs at the point of a gun.

He nets slightly less than two dollars in the unlawful episode.

The law says the small "pickings" have nothing to do with penalty imposed.

The negro is tried and convicted.

For his crime he must surrender life in Greenwood, Mississippi, on March twenty-third.

As to the negro's state of mind at the time of crime, no one knows.

Perhaps another case of Jean Valjean and Javert, who can tell?

Be these things as may, a crime has been committed.

The law decrees the penalty of death.

However, law is presumed to be tempered by both fact and circumstance.

True enough, any robber with a gun, is a potential murderer.

While technically, the amount of booty in no sense can condone the crime, "circumstances often alter cases."

A $2.00 crime is not, persee, a capital offense.
Reason in all things—
Even in the law.

MEMPHIS NEGRO HELD IN DELTA KIDNAP PLOT

Confesses Part in Abduction, Robbery of Planter

9-14-34

NAMES HIS COMPANION

Captured at Lula and Linked With Crime by Glove; Mate to One Found Where Trio Fled From Officers

CLARKSDALE, Miss., Sept. 13.—L. C. Crops, Memphis negro, who confessed that he participated in the kidnaping of H. K. Sage, 43-year-old planter, near Dublin, was arrested this morning at Lula by Constable Jack Butler, assisted by George Perryman, planter.

Mr. Perryman saw the negro walking along the railroad track and summoned Officer Butler.

Glove Proves Clue

The negro at first denied any participation in the kidnaping. When confronted with a glove picked up in the thicket where the negro took refuge from officers, which matched one in his pocket, he confessed. He was armed with a pistol. He declared that Jeff Robinson, also wanted in connection with kidnaping, took the watch, money and pistol from Mr. Sage.

Crops was brought to the Clarksdale jail.

Mr. Sage was kidnaped from his home Tuesday afternoon by two negroes, who robbed him and forced him to accompany them in his own automobile. They fled from the car near Clarksdale as officers, who had been notified of the kidnaping, approached.

Negro's Life Is Spared By Lieutenant Governor

PARCHMAN, MISS., Oct. 25. — (AP) — Eugene Prince, convicted negro murderer, was described today by penitentiary officials as the "happinest convict in the State penitentiary."

10-26-34

While Gov. Sennett Conner was making a speech in Memphis, just beyond the Mississippi border, the other day the death sentence for Prince was commuted to life imprisonment by Lieut.-Gov. Dennis Murphree, acting governor.

Gov. Conner said he did not approve of the action, but the acting governor said he commuted the sentence on recommendations of the trial judge and the attorney-general.

Prince was brought to the penitentiary from Charleston, Miss., where preparations had been completed by the sheriff for his hanging on Nov. 9.

Missouri.

Crime - 1934.

THE TIGER GROWS UP

One of the earliest efforts of THE CALL was to make the authorities realize that they should scotch the bomber. They did not because his victims then were Negroes who had gone in search of better homes. For the most part officers sympathized with the law breakers. Even those who wanted to enforce the law felt that arrest was useless because witnesses sufficient to convict would not testify.

Today, bombing is the pet weapon in labor disputes. This cowardly, sneaking, un-American wholesale assassination, winked at 15 years ago, breaks out in many a dispute, even in some where the parties concerned are arbitrating their differences. The tiger, pretty when a kitten, has become a man killer!

We know of cases where men who wished to be thought good citizens entered into conspiracy to have Negroes subjected to terrorism. There were plenty of witnesses to their dastardly plan. Nothing was done; only Negroes were assailed. THE CALL said then and repeats now that every injustice directed in the beginning against the weak, in time strikes higher. Its virulence is multiplied by tolerance. The doer gathers confidence and the object is benumbed with time. Justice delayed is injustice triumphant.

White Americans, treasuring the memory of their great, have glorified in their pioneers who won the west with quick trigger fingers. But they must feel shame that such sires have been followed by a brood of slimy midnight assassins to whom the "even break" is a foreign language.

We spoke for Negroes when we asked the law to stop the bomber 15 years ago. We speak for all Americans, white men, women and children included, when we say today that the police should apprehend and punish to the limit the thrower of the bomb and the one who hires him. Who would have thought that America, the land that once associated bombing only with anarchists of European training and for political purposes, would ever have it as a factor in the settlement of commercial disputes! We have indeed fallen low!

JUSTICE NEEDS A NEW DEAL

The part played by the conscienceless lawyer in assisting criminals to escape the law's penalties for his crimes has been the subject of exposure both by the laymen and by lawyers themselves.

No one can seriously maintain any longer that verdicts represent fair judgment of the facts in the cases where crimes are adjudged. Perjury is so common that it occasions no surprise. Certain lawyers even gain profitable cases by using their reputation for tricks rather than legal knowledge or sound logic. In short the United States has a judicial system in which lawyers, supposed to be agents of the courts, whether acting for the prosecution or the defense, in some instances flagrantly lend their talents to crime for pay. Thereupon the courts, by accepting their work and the public by making no protest, become parties to the destruction of the law.

Every element of the American people is hurt by this successful assault upon common decency, the Negro most of all. They have their share of accused persons, but do not have their share of acquittals, because they have not the means to employ these high-priced jugglers of the law.

For the number of Negroes convicted to be out of proportion to the number of whites accused and convicted, is to create for them a reputation for greater criminality. Both as a result of this conclusion and because it is anxious to find someone to use as the target of its indignation, the public deals more harshly with Negroes accused of crime.

Good judges, prosecutors intent upon justice rather than conviction, honest policemen have their part in law enforcement, but an entirely new set-up is needed, one that will make the lawyers on both sides represent work for the public's good, and in bringing about that change, each one of us is needed. Negroes have much to gain by a revamping of the judicial system.

Crime-1934

New Jersey

DR. PARKS CHARGES THAT HE WAS FRAMED

Civic Fights Led Politicians to Persecute Him, Noted Practitioner Says

A three decade fight against segregation and discrimination waged against the officials of Asbury Park was cited yesterday by Dr. William J. Parks, prominent practitioner there, as the reason for his many arrests and prosecutions in New Jersey. The arrests have been made in retaliation for his civic actions, he stated.

Dr. Parks was recently acquitted in a trial in which he was charged with causing the death of a young white girl through an illegal operation. Soon after his acquital, he was indicted and again arrested on a similar charge involving another white woman. It was this second arrest which brought his charge against the Asbury Park and New Jersey officials.

The prominent and wealthy physician, who has been arrested on various charges many times during recent years, stated that he had been persecuted by the New Jersey politicians since 1914 when he led a fight to have a Negro fireman placed on the Asbury Park force. This alleged persecution continued when, as the president of the local N. A. A. C. P. branch, he directed the successful fight against segregation on the beaches here.

He revealed that on the day that the segregation fight was scheduled to be tried in court in 1929 he was placed under arrest on a charge of performing an illegal operation on a white woman. The woman's own testimony showed the weakness of the case, which ended in a mistrial.

Dr. Parks charged that many attempts were made to extort graft from him in order to avoid trials, but he refused to pay and was acquitted in each case. He expressed doubt that the present charge will ever be brought to court. He stated that his indictment on this count was framed in hopes that it would have become public in time to prejudice the jury which recently acquitted him in the death of the white girl.

Crime - 1934

New York.

Court Doctors Use Surgery On Negro to Get Confession

Daily Worker 5-8-34

NEW YORK, May 7.—How psychiatrists attached to the Court of General Sessions applied torture to a Negro to make him confess guilt, when he claimed innocence, was revealed during an investigation by the Commissioner of Hospitals today, along with other disclosures of their third-degree brutalities against prisoners. The Negro had neither money nor lawyers and the others were equally helpless.

At first, the victim was informed that unless he confessed immediately an operation would be performed upon his brain. When he still insisted on his innocence, surgical instruments were produced and when he still refused to change his story the "operation" was begun. While he was held fast to the chair has scalp was numbed with a local anaesthetic and before his terrified eyes a surgeon pretended to make incisions. Finally he was told that his head was open. He became hysterical.

When he was taken out he had collapsed.

The Negro Hunt

Amsterdam News

THEY HUNTED last week for a "giant, sex Negro" accused of attacking white women great metropolitan city of ours. This time hunting ground was Brooklyn. Previously it was Ce Park. Before that it was downtown Manhattan. whether it be Brooklyn, the Bronx or the Bowery, th se periodic scares are beginning to recur with deadly regularity.

6-2-34

Nothing more than the word of some hysterical white woman is needed to launch these manhunts, which vary only in degree from the revolting practices of the Bible-backed Southland. A woman screams, the daily yellow press begin beating the drums and two-score police are instructed to bring in a Negro "dead or alive." In the present case an innocent, homeless man, Clyde Allen, has been shot and painfully wounded by an officer in search of the "dreaded Negro hammer man" of Brooklyn. Taken before his alleged victims, the man could not be identified by one of them.

Allen's is only one case. The life of any Negro found in the Navy Yard district of Brooklyn is endangered as long as these police and newspaper practices are allowed to exist. The police admit that some innocent colored man might be lynched if he inadvertently arouses the suspicions of the incensed residents of that neighborhood.

Negroes themselves must take the initiative in combating these evil practices. They should protest to Mayor LaGuardia and to Police Commissioner O'Ryan against the "dead or alive" orders for suspects. They should demand that all reports be carefully checked before stories are turned over to the newspapers. They should write the editors of the daily newspapers and demand that stories on these cases present only the known facts and not be presented in a manner which may unfairly inflame members of one group against another. And if their demands are not heeded, Negroes should refuse to purchase newspapers which endanger their very lives for the purposes of circulation.

One should not forget that the press has incited more lynchings in the South than the incidents they allegedly recorded.

The Police Record

DURING A RECENT investigation into charges of police brutality, a police inspector asked a reporter for The Amsterdam News: "Why are Negroes so hostile to the police?" A casual review of the record shows:

Amsterdam News

MARCH 10, 1934—Two policemen broke into the home of David Fletcher, president of the Moorish Temple of Brooklyn, and shot him in the back when he resisted their search for policy slips. The grand jury refused to indict the officers, the department took no action on the charge that they stole $500 in cash and $400 in jewelry from the wounded man. Fletcher, whose wife is suing for $50,000, died of his wounds last week.

6-30-34

MARCH 17, 1934—Police viciously broke up a peaceful Scottsboro demonstration on Lenox avenue by slugging participants, indiscriminately throwing tear gas bombs into the assembly and running automobiles upon the sidewalk. A brutality investigation was held and two officers were placed on trial, but (as far as we know) no disciplinary action has been taken.

New York, N.Y.

MAY 26, 1934—Clyde Allen, a homeless, jobless man, was shot through the leg, arrested and "positively identified" as the "Gorilla-Hammer Man" who had allegedly terrorized and attacked several white women in the Brooklyn Navy Yard section. While he was being held in jail for trial the attacks were resumed in the same section, throwing serious doubt on the arrested man's guilt and alleged "confession."

JUNE 1, 1934—An officer accosted an 18-year-old girl in a Brooklyn park, allegedly told her that he "was supposed to chase all the niggers out of the park at 9 o'clock," and fractured her left arm and inflicted internal injuries on her when she didn't move quickly enough to suit him. A disorderly conduct charge against the girl was dismissed in court. She is suing for $10,000 but no disciplinary action has been taken against the officer.

There are the answers for the inspector, and something for Commissioner O'Ryan and Mayor LaGuardia to think about.

Ninety Years In Sing Sing For Thirty-Eight Cents!...

Tragic Injustice In New York Case Revealed By Well-Known Writer.

By SADIE VAN VEEN

On November 5 the New York newspapers carried the following little story:

"For robbing a man of 38 cents, Albert Jackson, 23, Negro bootblack, was today sentenced to 30 years in Sing Sing. Two alleged companions in the robbery, Winslow Cameron, 24, and William Epsom, 23, were sentenced to from 10 to 30 years each."

Just that and nothing more.

Behind this cold little story, is a tale of ruthless persecution by the police; laws especially constructed to make such persecution stick; a judge so comfortable and smug that 30 years out of another man's life mean nothing to him; and a court "trial" that brings Scottsboro, Alabama, right into New York's front yard.

The Frame-Up

Edwin Bock, 60-year-old white baker, was attacked on 135th street, between Lenox and Fifth avenues, at about 2:30 in the morning, as he was returning from work. He possessed only 38 cents, which was taken from him. That same night, August 9, three young men were arrested in Harlem

The three boys were convicted October 26 by an all-white jury, and sentenced by Judge William Allen in general sessions court. The entire trial took less than a dozen hours, including the three hours that the jury was out.

The boys had practically no defense. The defense attorney in the case made little or no effort to dig up the facts.

I visited Edwin Bock, the man who had been attacked. He said that he had had no opportunity at all to see the men who grabbed him. He was seized from behind and his hat moved down over his eyes. He doesn't know who did the job. He doesn't know if it was one man or three. He could not identify any of the three arrested boys, and he said as much at the trial.

I had asked him if he believed that the three who were arrested were the ones who had attacked him. He said he had no way of knowing. He had merely heard from the arresting officer, Jackson of the 31st Precinct, that these were the men

Picked Up By Cop

The story of how Albert Jackson was arrested as he tells it, was corroborated by Jackson's wife Mrs. Emily Perry Jackson, in every detail. The couple, with a friend, Miss Janet Williams, were returning from the Savoy Ballroom. They were standing on the corner of 135th street and Lenox avenue, gossiping, when they witnessed a commotion across the street. Out of curiosity, Jackson crossed the street. He heard a shot fired by the patrolman, and with natural caution, ran back to join his wife. But before he had reached her he was seized and turned over to the police. Winslow Cameron and William Epson, who happened to be in the neighborhood, were also picked up.

The men were taken to jail, beaten up, and charged with assault and robbery. The police testified that they found 38 cents in Jackson's pocket. But Jackson says this is a lie; that he had 90 cents with him.

I paid a visit to Judge William Allen. He has spacious and luxurious chambers. He is white of hair, pink-cheeked, well-fed, well-groomed. Judge Allen hands out 30-year sentences as if man had a thousand years to live. Every day he sentences workers to long terms in prison, and it does not interfere with his digestion, his health or his happiness.

The judge smiled as he spoke of the three boys. "Twelve men found them guilty," he said. "I sentenced them." That is all it means to Judge Allen. The law's technicalities have been fulfilled.

"Don't waste any sympathy on these people, Judge Allen said. "The danger is not that innocent men may go to jail, but that criminals may go free." Not only is Judge Allen's statement cruel and heartless—it is absolutely contrary to all the basic principles on which American law is supposed to be founded.

Juror Regretful

I called on one of the jurors in the case, Edgar Allen. A man with a business in the theatrical center of New York, at 1560 Broadway. He was bitterly regretful about the sentence given the boys. "When I reconsider this case," he said, "I can see that no chance was given those boys; almost no defense was offered. I never dreamed that the boys would receive such sentences. I would never have agreed to the verdict had I known this. We jurors did not know what the verdict would bring in the way of a sentence. If I had known it I would have stuck to that jury for six months, holding out against a verdict of guilty."

Judge Allen made much of the fact that the boys had previous records. He stressed that under the Baumes Law, he was forced to give them long sentences. What were these previous records? Jackson had served time for felonious assault; Epson served 40 days on two charges of disorderly conduct; and Cameron served three months for petty larceny. Every day the police pick up Negroes, threw them in jail, and pin on them any charge at all. The all-white juries and the callous judges make these sentences stick. These petty persecutions are the background against which Negroes, with the help of such legislation as the Baumes Law, are railroaded to long sentences, their "previous records" now being given as the excuse.

North Carolina.

Crime—1934

RALEIGH, N
NEWS OBSERV

MAY 22 1934

Blood and Law

In the courthouse at Durham yesterday Judge N. A. Sinclair sent the new grand jury out to seek justice with a resounding defense of capital punishment and a declaration that those who oppose it are "spineless weaklings" and that "maudlin sentimentality concerning capital punisment is undermining the character of the nation."

Unfortunately capital punishment is not a simple question which can be settled with epithets from the bench or anywhere else. Judge Sinclair thinks it is a cure for crime. And indeed, as Sir Walter said to the axe-man, execution cures not only crime but all other troubles, capital felony and the asthma of the felon. There is, however, real ground for difference of opinion among thinking men, including judges as well as "spineless weaklings," as to the efficacy of the execution of one man stopping another man on the road which leads to the electric chair. The classic example is, of course, the well-known English story of the picking of pockets in the crowd about the gallows at the hanging of a pickpocket.

In North Carolina it is a very real question whether the "spineless weaklings" or the courts of the State have done more to create popular feeling against capital punishment. Studies of capital punishment in North Carolina have shown that in actual practice the extreme penalty is exacted by the courts only in the cases of the poor, the friendless and the black. The condemned whom Superior Court judges and Superior Court juries send to Raleigh to be killed have so consistently been the weak and propertyless that more than one person in North Carolina has come to regard capital punishment as a particularly ugly and bloody type of class legislation.

At the same time courts and juries are too severe and too lenient on the Negro criminals of the State. Judges and juries as well as the people generally have refused to consider as warranting the seriousness of capital punishment the too frequent phenomena of "nigger killings." Black murderers of members of their own race are entirely too often given the scantiest punishment. Such a course not only reduces the safety of law abiding Negroes but of all the people since the man who will kill can hardly be expected to observe a strict color line in murder.

If, however, the law of capital punishment could be administered with that exact justice which myth but not fact attributes to the law, there would still remain difficult questions involved in the taking of human life by a civilized State. The courts and executive clemency have joined, in accordance with the tradition of our criminal law, to preserve from capital punishment the idiot killer and the insane murderer while sending to death those who are sane or lack the sense or lawyers to persuade Governor or jury to believe them insane.

Unfortunately, therefore, in this State the choice does not lie between abolition of capital punishment and a perfectly just and intelligent exaction of capital punishment for capital crime. As practiced in North Carolina the choice lies between the abolition of capital punishment and a system of taking human life which involves injustice, caprice and cruelty. It does not serve to rid the State of mental menaces to public safety. It does not provide demonstration to the potential murderer that sure and swift death will be his punishment. Indeed, in North Carolina capital punishment merely survives to take some lives without effectively protecting the society which it is presumed to serve.

If it is to continue to survive, judges on the bench in North Carolina will do better to exert their influence to give justice and intelligence and equality to the carrying out of this bloody law than by attacking those who, shocked by the cruelty and carelessness with which the law is administered, would abolish forever such killing by the State.

CHARLOTTE, N. C.
OBSERVER

APR 29 1934

Hon. J. C. B. Ehringhaus,
Governor of North Carolina.

My Dear Governor:

If you should find as a fact that the Charlotte negro youth known as a "pants thief," recently convicted of burglary and sentenced to death, has only the mentality of a seven-year-old child, as described by Dr. Harry W. Crane, eminent psychologist of the University of North Carolina, then you would be fully justified in commuting his sentence from death to imprisonment.

Under the law, as you know, a seven-year-old child is incapable of committing a crime. Reason suggests that an untrained negro youth of the same mentality is just as incapable. If Dr. Crane is correct in his finding, after an examination of the youth, the boy was not responsible for his act in breaking into a dwelling house at night. The fact that he was unarmed would indicate that he was not conscious of the gravity of the offense against the law. As I am informed, he had previously gone into the same house repeatedly with the knowledge and consent of those occupying the place at the times. What would be more natural than for an idiot or a dog to enter a house where he had previously been welcome?

It is not a matter of sentimentality, but of humanity and civilization, that those mentally defective to such a degree that they cannot realize that they are committing a crime should not be put to death at the hands of the state as a punishment for their conduct.

Confinement of this youth would afford society the protection it is due, just as effectively as electrocution. I do not believe the thoughtful citizens of North Carolina would have their state adopt a policy of putting to death those who are woefully defective in mentality.

This is a case that should be carefully and thoroughly considered before the condemned youth is permitted to go to the electric chair for entering a house unarmed, while hundreds of persons of normal mentality slay their fellow men in cold blood and escape death at the hands of the law.

GREENSBORO, N. C.
NEWS

MAY 28 1934

CONFLICTING REACTIONS.

Conviction of three negroes of first degree murder and their subsequent sentencing to the electric chair in Rutherford county Superior

GENERAL MECKLENBURG.

court bring conflicting reactions.

The trio were convicted, let it be stated at the outset, for slaying a member of their own race. They received the supreme penalty for killing and robbing Gus McDowell, another negro, last month. To those of us who have bemoaned the low value placed by juries and courts generally upon a negro life, thus adding to the discrimination of justice and tending to increase rather than retard the homicides among negroes in the state and over the south, the formal recognition that a murder is a murder, regardless of color, offers certain pleasing aspects. There is, however, the tempering realization that the defendants themselves were negroes. When a white man is sent to death row for the slaying of a black man, that will be hailed as still another milestone in judicial progress.

But, aside from this consideration, there is revealed the rigidity of North Carolina criminal law. The jury which sat upon the case accompanied its guilty verdict with a recommendation for mercy. Judge Finley, in passing sentence, commented upon the court's inability to follow this recommendation; it can be accomplished only through the devious and uncertain method of a judicial recommendation to the governor to commute the sentence from death to whatever term in state's prison he thinks proper. Surely, justice is not to be served satisfactorily in any such manner. Neither is it fair nor merciful, to an official weighted down with so many duties and worries as is the governor, to pass ultimate disposal of such cases, along with burglary convictions and others which clash with outmoded statutes, along to the executive office. It diverts responsibility where it should not be diverted, it impinges upon the functions of the courts and it provides the abiding possibility that a circumvention may miscarry.

It does appear that some general assembly, considering how they frequently idle while waiting on this, that or the other committee and spend a sizable portion of their time in foolishments, might get around to clearing up at least the more unsightly statutory debris which clutters up the books.

CHARLOTTE, N. C.
NEWS

MAY 27 1934

New Branch b Same Root.

If anyone expects The News to be aghast at the revelation that here in Charlotte there has been a ring operating a damage suit racket he has another expect coming.

The only difference between what these six Negroes are alleged to have done and many of the cases which are admitted to court, heard and settled in favor of the plaintiffs is a difference in degree of fraud. In their case injury was wholly feigned; in many a suit it is the extent of injury which is feigned. It is Tweedledum and Tweedledee, six of one and a half-dozen of another.

There may, perhaps, be less of extenuation in the fact that the Negroes concocted their scheme, while to the average damage suer it comes as a flash compounded of luck and inspiration. Then, too, the Negroes would have been operating outside the law if any of their corporate victims had been stubborn enough to offer a contest. The run-of-mine faker is sheltered by the law.

On the other hand, the Negroes were moderate in their demands. That is more than can be said for some of the others.

HIGH POINT, N. C.
ENTERPRISE

JUN 12 1934

JUSTICE?

Seven men were tried before a Raleigh magistrate yesterday morning on a charge of "beating freights." Four of the men were Negroes and three were white men. All of them pleaded guilty to the charge.

The magistrate sentenced each of the four Negroes to serve thirty days on the roads. He freed the white men, instructing them to go to the Federal Transient bureau in Raleigh, where means of transportation were offered. It is interesting to note that the bureau also has facilities for handling Negroes.

The arresting officer in the case reported he had no trouble taking any of the seven men into custody.

We take it for granted that the report carried today of the incident by The News and Observer of Raleigh is complete and accurate; and, such being the case, we find here that type of discrimination which can never result in anything other than increasing bitterness.

We do not know the magistrate who heard the cases. It is possible that he had good reason for his discrimination; but certainly the account of the occurrence gives no indication that he had. There is no standard of justice which sends a Negro to the roads and allows a white man to go free — or vice versa for that matter — when the two are arrested on the same charge, arraigned before the same magistrate and neither offers resistance or places obstruction in the path of law enforcement or justice.

CHARLOTTE, N. C.
NEWS

APR 13 1934

Can Be Done; Has Been.

To what qualities of origin or upbringing the difference between Forsyth and Mecklenburg county juries may be ascribed we know not, but that there is a difference is plain to see. Not within our recollection, if at all, has a Mecklenburg jury convicted a Negro of a capital crime against another Negro, yet twice within the last 30 days it has been done in Forsyth.

It cannot be that in Winston the methods of committing murder are any more grisly than in Charlotte. Hadn't we a burning in oil, which short of progressive mayhem is the *ne plus ultra* in ways to die? And didn't our court penalize such unorthodox manslaughter by an extra-heavy sentence of 20 years, with time off for good behavior?

It cannot be, either, that in Winston the law is as a rule any more vengeful than it is here, for didn't we this very week sentence a man to die for burglary, and isn't there another on deck?

What it can be we positively are at a loss to say with any certainty. It may develop, though we are only guessing, that in Forsyth when a Negro killer of a Negro is on trial the solicitor prepares his case and sees to the selection of the jury with as much care as though the crime had been against white people.

WILMINGTON, N. C.
STAR

JUL 12 1934

ESCAPED FELONS AND CRIME

ON MORE than one occasion, when serious crimes have been committed in North Carolina by escaped convicts, this newspaper has called attention to the frequency with which long termers escape and called attention to the need for extra precautions in keeping these men in confinment. Now with two more crimes laid at the door of escaped felons, we find the Raleigh *News and Observer* in accord with us when it says:

"For two capital crimes committed in North Carolina yesterday, the state prison system was directly responsible. Within the last three days, four convicts escaped from state prison camps. On Tuesday a man was dead, murdered in cold blood, and a woman in a lonely farm house in Chatham county had been raped. Both crimes were charged to the convicts.

"At state prison camp in Raleigh, two of the escaped convicts, one of them already in prison for murder, were reported to have confessed the mudred of HAL C. ROUTH, Siler City oil company manager, on Monday night. In Chatham county, posses of angry men were seeking a third convict whom a woman identified as the negro man who forced his way into her kitchen when she was alone and assaulted her.

"That punishment will follow the capture and conviction of the convicts there can be no doubt. Imperative as is such justice, it will not be enough. Those responsible for the keeping of the convicts should also be put on trial for their failure to keep dangerous men who became at large the actual menaces which they potentially were in prison.

"The crimes of these three convicts are dramatic. They call attention to a situation in North Carolina in regard to escapes which is a continuing menace to the safety to the law-abiding people of the state. During June in North Carolina 89 prisoners escaped from the state prison system. In the case of many of them, perhaps in the case of the three who escaped to kill and rape, individual officials may be able to demonstrate that they were not negligent, that the system of preventing escapes was not faulty. But when 89 men escape in one month—and not an unusual month—something is wrong with the prison system or its personnel."

We do not know what the trouble is, or where the fault lies. We are cognizant of the fact that congestion probably forces the prison authorities to take chances not to their liking, and are equally aware that many of the prison camps are not of a permanent nature.

Still, the fact remains that escaped convicts are becoming a distinct menace to North Carolina, and the number of escapes is entirely too high.

GREENSBORO, N. C.
NEWS

SEP 11 1934

TRUSTWORTHY.

Charged with some minor infraction of the law—wife-beating, we seem to recall—Weldon Wiley, a negro of the Deep River community of this county, asked a deputy sheriff to go with him a short way in search of a bondsman. The officer, who no doubt knew what sort of man Wiley is, obliged. The results indicate that his faith was abundantly justified and that the negro could not be run out of the neighborhood.

As the pair came to a creek to be crossed the stream was found to be so swollen by the rains of last week that the law's feet were insured of a wetting unless some form of ferry could be improvised. The prisoner proposed to tote the deputy over into the more promising land, and the expedition proceeded.

A mournful whine was heard, and Wiley, like old Mis' Lot, looked back. There crouched his faithful 'possum dawg, grieving at being left behind, but fearful of the water. His tender-hearted master wanted to know could he go get his hound. Again the law showed itself to have a heart, the ferry resumed operations and the three continued their journey.

There the story, as reported to us, ends; but we are confident that Weldon Wiley either made bond or the officer released him on his own recognizance. If he didn't, he ought to be fired by the sheriff; for whatever small-time devilment the Deep River negro may have been engaged in, he evidently is of that honorable, although alas not sufficiently honored, class of colored gentlemen who are awake to their obligations to both their betters and their dependents.

And if you ask us why then Weldon would beat a wife, if he did, we would suggest that the helpmeet of a 'possum hunter is generally of necessity self-sufficient; but a good hound has to be guarded carefully when the leaves begin to turn, lest some other good sport misappropriate him.

Crime-1934

CHARLOTTE, N. C.
OBSERVER

MAR 24 1934

COMMENDABLE PROTEST.

The contentions of the negro ministers of Charlotte in regard to laxity in law enforcement against members of their own race who are lawless bring to public attention a condition in the community that is flagrant and violative of the safety and protection of civilization itself.

It is a bold venture which these upright men are making to the authorities in protesting against the lack of enforcement upon the more rebellious of their own race and the apparent indifference of the law's establishment toward the criminal situation prevailing among the negroes.

And there is reason for it. The growth of the homicidal record among negroes—negroes who murder members of their own race—is enough in itself to form the background of the public protest thus made.

It has come to be an occurrance of every few days that some negro shoots or stabs or cuts another to death, while lesser forms of lawlessness, running the entire gamut of offenses against the law and against society, are showing the same increase.

These men are to be commended for their interest in this matter and sympathized with in the alarm which they sound.

The courts, of course, should react favorably to their contentions. The officers of the law should be made more sensitive to their duty in the premises and then the entire white citizenship of the community might well helpfully play in this equation by showing a better example for the negroes to follow.

HIGH POINT, N. C.
ENTERPRISE

MAR 25 1934

LAWLESSNESS IN NORTH CAROLINA

Editor The Enterprise:

High Point is comparatively a quiet town, and there is little that I know about the outside world except from what I read in your excellent paper.

Recently, though, the dead body of a colored man was found on one of our streets. All signs indicated that the man had been murdered, but up to now there has been no clue leading to the arrest of the slayer, despite the activity of our excellent police force. Somewhere — perhaps in this state—the murderer is still at large.

I find that during the past ten years in North Carolina there have been very few lynchings, but the major part of those lynched were Negroes. The "law" made no extraordinary efforts to see that the murderers were brought to justice. I wonder sometimes if we at present regard the colored people as human beings, or as something outside the pale of the law's protection, as in the terrible "Reconstruction Days."

One thing is certain: No longer in this nation can any state hold its self-respect if it condones or tolerates in any way lynching and mob violence. This is nothing to be argued about. Lynching is murder; mob violence is lawlessness. Both can be and should be eradicated.

A state constabulary could have good effect in preventing mob assemblies, which so often lead to lynching. There will be discussions in our next Legislature concerning the matter of border patrols to keep down bootlegging. We need legislation that will cover the entire field of lawlessness; legislation that will provide for mounted patrols who can go from county to county, safeguard life and property, and who know how to get their man. Along with these patrols there should be detectives who are second to none in point of efficiency.

Life among us should be made more safe, regardless of race, creed, or colors; for the fair bank clerks, as well as those who drive along our highways; for our women and children as well as the sturdy men who walk abroad and fear neither ghosts or devils.

Just a few words more: I believe that there should be a heavy fine set for any county in North Carolina that permits mob violence to run riot, and endanger life and property; as a state we need to join with other states in the nation to the end that our worthy President may feel that he has our hearty cooperation for the general welfare.

CAPT. BRUCE H. CARRAWAY.

BURLINGTON, N. C.
TIMES

MAR 26 1934

LAWLESSNESS IN NORTH CAROLINA

Editor.

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Capt Bruce H. Carraway,
High Point.

Durham, N. C. Herald
April 6, 1934

LET THE RECORD SPEAK

Paul Green, the playwright, refers to electrocutions at Raleigh as "this frightful business of murdering ignorant Negroes." The Winston-Salem Journal responds that some will say Mr. Green should stick to fiction. Well, perhaps that is true. But some will also say that the state should stick to justice and prove or disprove the indictment lodged by Playwright Green. And as to sticking to fiction, one is almost ready to say that if a state can turn from justice to fiction a playwright can turn from his field to espousing the cause of the "underdog."

Granting, which we do not, that capital punishment is the powerful deterrent of crime claimed by its proponents, it must be administered without regard to color, wealth, position or influence if it is to serve the intended purpose. Records in and out of the state prison at Raleigh do not sustain the contention that North Carolina administers its death penalty in that fashion. On the contrary the records may be used in support of the "frightful business of murdering ignorant Negroes" charge as lodged by Paul Green.

If there be those who have not been and wish to be convinced on this point, let them study the history of prisoners now on death row. Particular attention is called to the published story of the life of Emanuel Bittings, Negro, who is facing electrocution for the murder of his former landlord. A tenant farmer, war veteran, uneducated, relief roll dependent who declares that he shot in self-defense after being banged around by society in a rather merciless fashion.

Next turn to the case of Theodore Cooper, Durham Negro, who killed at the command of a white man of superior education and intelligence. The white man is protected from the death chair by what is supposed to be the essence of justice. Do those who holler about the virtues of capital punishment believe that a white man of wealth, position and influence could be or should be condemned for the electric chair for doing what Emanuel Bittings did? Do they believe that a hired killer is more undesirable than the man of superior education, opportunity and intelligence who does the hiring?

No. Those who stand by capital punishment argue that it should be applied with an even hand. So applied it might, though we seriously doubt it, have some place in a system of social justice. When applied with an uneven hand and in a most intolerable sort of fashion, it has no place in any system that purports to parade under the banner of law and justice.

And so, if lifting his voice in behalf of the "forgotten man" of American justice means that Playwright Paul Green is deserting his calling, we for one are willing that he succeed in the new field as completely as he has in the field of his first choice.

Some say murder is not the word to use when the state inflicts the death penalty. Perhaps not but what other word expresses the thought when the state lowers the death hand upon the ignorant, poor and defenseless but not upon other members of society? When that question is answered we can start looking for a word to take the place of murder.

CHARLOTTE, N. C.
NEWS

APR 10 1934

GENTLEMAN INSINUATES THERE ARE TWO SETS OF LAWS ON THE BOOKS.

Sir:

I have read with interest you editorial in yesterday's News abou the rape of the little Negro gir and the fact that her assailant ha not been canght.

You seem to think that the mar ought to be hunted down by a posse with guns and hounds, and that he ought to be tried for his life when he is caught. Maybe he ought, but that is not the custom here. Had the child been white that would have been proper, but don't you know that a Negro cannot commit a capital crime against another Negro in this neck of the woods?

The law really ought to be amended so that courts and prosecutors would no longer be embarrassed by it. At present, and for many years past, a Negro rapist of a female of his own race is tried for an attempt, and a black slayer of another black is tried for second degree murder rather than first. Criminals of the colored race have come to expect this, and hence they are bold to kill each other and are not particularly afraid to violate even children of their own color.

White juries are largely to blame for this condition. They simply refuse to convict a black man of a capital felony if the crime was against another black. It might not be a bad idea to impanel a few Negro juries to try these ruthless rapists and murderers. My own opinion is that they would put the fear of God into them.

JOHN GANTT.

Charlotte.

GREENSBORO, N. C
NEWS

APR 9 1934

WHY NOT CHANGE THE LAW?

The governor will—if he has not already taken action—substitute imprisonment for the death sentence imposed on a 17-year-old negro for burglary. Regardless of the age of the condemned, ordinarily considered, the death penalty for burglary in North Carolina, formerly perfectly good and frequently used, has been nullified by common consent. There are two degrees of burglary and the extreme penalty may be avoided, as in murder cases, by a conviction for second degree burglary or accepting a plea of guilty on that count. But occasionally there is a conviction for first degree burglary and the imposition of the death penalty is mandatory. Then the condemned is sent to death row in state prison, much crowded here of late, to remain for weeks or months, under the shadow of the death chair, until the pardon commissioner gets around to his case and the governor takes the necessary action to change the sentence.

It is better that laws should be repealed than nullified by common consent. The latter course encourages extension of nullification which results in discrimination in administration. The legislature should change the law but for some reason or none, no action is taken. Probably the notion is harbored that some day there will be an aggravated case, with serious injury inflicted on persons, in which the death penalty will be considered necessary. Not only are the evasion and nullification of the law unwise but it is cruel to impose the death penalty and hold the condemned in the shadow of the chair for a long period, uncertain whether he is to die or live. All of that could be avoided by a change in the law. The same might be done in the case of arson. While the death penalty will stand for at least two crimes, killing people for burning a house, or entering one where persons sleep, has ceased and determined. If in the burning or burglaring death ensues indictment for murder would be good.

CHARLOTTE, N. C.
NEWS

APR 14 1934

Speed Is Shown.

The wheels of justice in Mecklenburg's superior court have ground swiftly this week and two death sentences have been handed down by that body in almost as many days. The two defendants, both Negroes, were tried and convicted on charges of first degree burglary. They will be electrocuted in the state penitentiary in Raleigh this summer.

Willie White just six days ago tried to break into a residence of the city, and now Willie is under a sentence of death. With almost equal swiftness did the court handle the case of Charlotte's notorious "pants thief" Henry Hudson, cunning Negro who for months baffled city police with his nocturnal raids on homes of the city, was but recently caught. Hailed into court Tuesday afternoon, he was convicted and sentenced to death Thursday morning.

If the courts of the land would only develop the habit of such speed as has been shown by this term's superior court here, crime would soon cease to be the flourishing business that it now appears to be. If the courts in all cases would move with this same swiftness, without discrimination as to race, color, or position of the defendants, crime organizations would pass out of existence.

CHARLOTTE, N. C.
OBSERVER

APR 1 - 1934

To the Citizens of Charlotte:

Developments of the past week have further demonstrated the unwisdom of the present division of authority as between the City Council and the Civil Service commission in dealing with the police fire and sanitary departments. I refer to the actions of the two bodies in handling the petition of the colored ministers' association, which was passed on to the Civil Service commission by the council and then promptly returned, each body denying that it had authority to act. The outgrowth is no action as yet, but a controversy the end of which is not in sight. Apparently nobody knows absolutely how much authority the City Council has in dealing with the police department but it has been repeatedly stated that the personnel of the force is under the jurisdiction and direction of the Civil Service commission.

The fact is, the Civil Servce commission should be a civil service commission in fact as well as in name, and nothing more, as the public doubtless understood was contemplated when the act was passed to create it. The general understanding of the duties of a civil service commission was and is that its duties are to prepare and maintain, up to date, an eligibility list of candidates for employment by the three departments, to see that none other than those on the list are employed, and that none are discharged from the police, sanitary or fire department, without just cause, except as a matter of retrenchment ordered by the governing body of the city. However, the law creating the Charlotte Civil Service commission is held to give it entire jurisdiction and direction of the departments, and to render the City Council, elected by the people, impotent to do more, in effect, than to make recommendations to the Civil Service commission, the members of which are appointed by the council but not subject to the council's authority.

All of which seems to me an anomolous and illogical arrangement. If you think so, as taxpayers and voters, I suggest that you let the candidates for the legislature from this county know how you feel about it, and obtain their promise to revise the law.

GENERAL MECKLENBURG.

WILMINGTON, N. C.
STAR

DEC 5 1934

WHITE CRIME

THE *Raleigh News and Observer*, looking over death row, discovers that more white men are awaiting death than ever before, a circumstance which leads the capital paper to disserate on white crime in North Carolina. Continuing, *The News and Observer* says:

"There are more white men on Death Row than ever before in the history of the State.

"There are more white men in our criminal courts and our prison camps than ever before in the history of the State.

"Judges in our Superior Courts report that whereas once men charged with larceny were largely black men, young white men are now too often taking their places as criminals at the bar.

"Once the South said that the high percentage of crime in the South was a result of its Negro population. If that was true it ceases to be true.

"Whatever the causes, a proud white people have reason for shame and for thoughtfulness. There was some excuse for the Negro, swiftly snatched out of savagery into slavery and swiftly turned from slavery into citizenship. But behind the growing numbers of white young men in our courts and prisons lies more than a thousand years of the tradition of liberty under the law.

"This is not a problem for which a cause may be easily found. It is a problem worthy of the consideration of every man who is honestly concerned for the welfare of his people, who is sincerely interested in the civilization his generation will make out of the tradi

that the problem is one demanding serious consideration. The white man is responsible for the civilization that prevails on the North American continent, and he is also responsible to see that such civilization does not disintegrate.

We agree with our Raleigh contemporary

Crime-1934

GREENSBORO, N. C.
RECORD
MAR 26 1934

PEOPLE'S FORUM

Letters to the EDITOR

Lawlessness in North Carolina.

Editor, Greensboro Record:

High Point is comparatively a quiet town and there is little that I know about the outside world except from what I read in your excellent paper.

Recently, though, the dead body of a colored man was found on one of our streets. All signs indicated that the man had been murdered, but up to now there has been no clue leading to the arrest of the slayer, despite the activity of our excellent police force. Somewhere—perhaps in this state the murderer is still at large.

I find that during the past 10 years in North Carolina there have been very few lynchings, but the major part of those lynched were negroes. The "law" made no extraordinary efforts to see that the murderers were brought to justice. I wonder sometimes if we at present regard the colored people as human beings, or as something outside the pale of the law's protection as in the terrible "Reconstruction Days."

One thing is certain: No longer in this nation can any state hold its self-respect if it condones or tolerates in any way, lynching and mob violence. This is nothing to be argued about. Lynching is murder; mob violence is lawlessness. Both can be and should be eradicated.

A state constabulary could have good effect in preventing mob assemblys, which so often lead to lynchings. There will be discussions in our next legislature concerning the matter of border patrols to keep down bootlegging. We need legislation that will cover the entire field of lawlessness; legislation that will provide for mounted patrols who can go from county to county, safeguard life and property, and who know how to get their man. Along with these patrols there should be detectives who are second to none in point of efficiency.

Life among us should be made more safe, regardless of race, creed, or color; for the fair bank-clerks, as well as those who drive along our highways; for our women and children as well as the sturdy men who walk abroad and fear neither ghosts nor devils.

Just a few words more: I believe that there should be a heavy fine set for any county in North Carolina that permits mob violence to run riot, and endanger life and property; as a state we need to join with other states in the nation to the end that our worthy President may feel that he has our hearty cooperation for the general welfare.

CAPT. BRUCE H. CARRAWAY.
High Point, N. C.

CHARLOTTE, N. C.
OBSERVER

MAR 24 1934

The Negroes' Plea.

To The Observer:

I feel sure that the recent plea of the Negro Ministerial Association struck a responsive chord with all thinking white citizens, at whom the plea was directed, with reference to the crime wave with in the negro element.

The attitude of the Judges in being too lenient in discipline seemed to be the chief thought of the Association. I believe this to be a wrong assumption in spite of the array of facts and data which have been gathered by these Negro citizens. The Negro, comparatively speaking, is punished to a greater extent than is the law-breaker of the white race. His ignorance, lack of finances with which to hire legal talent, and lack of influential friends, all combine to place him at a disadvantage in our Courts. Death Row at Raleigh bears mute evidence of the extreme punishment meted out to the Negro race.

I believe the problem is not one primarily for the Court-room to settle. Lack of self expression in government among themselves has a more direct relation. Practically one-third of the population of Charlotte is a huge Negro commune, without self government in any small degree, and completely dependent upon others of the white race for expression. Their lot is in many ways not unlike Communistic Russia. They marry and separate at will; Leadership and individualism are discouraged rather than encouraged; they live in crowded village quarters without proper sanitary safe-guards; they live and have their being in conditions of abject poverty and ignorance. Is it strange that lawlessness and viciousness issue from a people who live under these conditions?

It is not only a plea from the Negro Ministerial Association. It is a direct challenge for those of us who are able to do so to help them to find their way into the light of a new day. Many of the Negro leaders are in position to help their multitude of followers. Vast improvement in their mode and manner of living must come before the Negro race can stand unchallenged before the bar of public opinion.

MERCER J. BLANKENSHIP.
Charlotte.

CHARLOTTE, N. C.
OBSERVER

MAR 24 1934

COMMENDABLE PROTEST.

The contentions of the negro ministers of Charlotte in regard to laxity in law enforcement against members of their own race who are lawless bring to public attention a condition in the community that is flagrant and violative of the safety and protection of civilization itself.

It is a bold venture which these upright men are making to the authorities in protesting against the lack of enforcement upon the more rebellious of their own race and the apparent indifference of the law's establishment toward the criminal situation prevailing among the negroes.

And there is reason for it. The growth of the homicidal record among negroes—negroes who murder members of their own race—is enough in itself to form the background of the public protest thus made.

It has come to be an occurrance of every few days that some negro shoots or stabs or cuts another to death, while lesser forms of lawlessness, running the entire gamut of offenses against the law and against society, are showing the same increase.

These men are to be commended for their interest in this matter and sympathized with in the alarm which they sound.

The courts, of course, should react favorably to their contentions. The officers of the law should be made more sensitive to their duty in the premises and then the entire white citizenship of the community might well helpfully play in this equation by showing a better example for the negroes to follow.

GREENSBORO, N. C.
RECORD

APR 5 - 1934

The "Hired Killer."

The "hired killer," Theodore Roosevelt Cooper, Durham black scheduled to die in the electric chair at state's prison Friday, is granted a new lease on life, thus affording the Governor opportunity to re-consider the case, with reference to extending clemency.

The Cooper case has created a popular furore and provoked storms of righteous indignation because it involves a patent injustice occasioned by the law's inconsistency.

There seems to be no question as to Cooper's being guilty of first degree murder. He was tried, convicted and sentenced to death. But the man—the "brains"—who hired the negro to do the actual killing for him could not under North Carolina law be sentenced to death. He was given a prison sentence.

This is not the first case of the sort which has developed in the state in recent years.

There seems little doubt but what pressure will be brought to bear on members of the 1935 general assembly to change the law so that the person who hires another to kill will be considered equally as guilty as the actual killer and made amenable to the same degree of punishment. A move will also be made, we predict, to have the legislature abolish capital punishment.

CHARLOTTE, N. C.
OBSERVER

APR 6 - 1934

Crime Among Negroes.

To The Observer:

The public is anxiously awaiting for the Civil Service Commissioners and the City Council to bring about some reactions regarding the petition presented them a few days ago by the negro ministers of Charlotte.

The crime wave and poor police protection in the negro sections are growing worse.

Petitions from these sections have been signed by many of the citizens and property owners, residents and business men both white and colored for better police protection in and around the section of the four and five hundred blocks of South McDowell street.

It was pointed out to the Civil Service Commissioners and the City Council that the present system of police protection of patroling this section by automobile or radio cars affords very little or no protection for negroes against the criminal element who has constant disrespect for law in this section.

It was pointed out further that this particular section of the four and five hundred blocks of South McDowell street has a business district which is situated on one of the main thoroughfares which makes it possible for more of the criminal elements to travel and have a general hang out daily. Not only the murderers, drunkards, thieves, gangsters and bootleggers who live in this community but we are troubled greatly with criminals of the same nature of other communities gathering in this section of South McDowell street which they use as a daily hangout.

This makes it quite difficult in summoning an officer from the police department or going to the police department to sign a warrant.

Landlords or property owners are handicapped in renting their property because of the crime wave and desperate criminals gathering around and running wild with the law in this section.

The council's reason for not affording better police protection for negroes of this section is that the city does not have the money to employ additional officers, another reason was that the city can not take officers from other places in the city where thousands of dollars are invested and place them in this section where such little is invested. Another reason was that if permanent police protection is given to the negroes of this section of South McDowell street that negroes of other sections would probably request the same and it would cost the city an additional expense to hire additional police-

nen.

Another reason was that the Charlotte police department ranks second to the best in America in running down and apprehending criminals and making arrests, etc.

Perhaps that is true in some instances but there is one thing we do know, and that is the police department has never made that kind of a record in our section of Charlotte.

Charlotte is no more a small town or village, it is a large city with a large population of both races.

The criminal element constitute the greater part of the negro population in comparison with the whites.

It is believed that the lack of police protection in negro sections is responsible for such a large criminal element among negroes.

The negro churches and business places are handicapped by criminals running wild with the law in this section.

The situation is becoming more deplorable each day.

There are people of all colors, races, sexes and creed gathering in this section daily committing crimes of every description.

The presence of a police officer will do much towards preventing crime in this section.

There is none except a twenty-four hour permanent police protection on foot will remedy the situation.

Human life and property are at stake in this section of the four and five hundred blocks of South McDowell street.

The efforts of the negro ministers and all other citizens in helping to get relief from the Charlotte city government in this situation will be highly appreciated by the general public.

There has never been a good nor est effort lost.

WOODS MORGAN.

Charlotte.

RALEIGH, N. C.
NEWS OBSERVER

APR 5 - 1934

"MURDERING IGNORANT NEGROES"

Anyone familiar with the grim procession of men from the cells on Death Row to the little octagonal room at the end of it knws that there is entirely too much truth for a sound State conscience in the charge of Paul Green, of Chapel Hill, that electrocution in North Carolina is a "frightful business of murdering ignorant Negroes."

If there is merit in capital punishment it lies in the use of that power of the State to rid society of those men who, living, constitute a menace to it. There are such men. There are men of such twisted minds or twisted morals that their existence is far less important than the peace of the society to which their continued existence constitutes a danger.

Unfortunately, however, in North Carolina the death sentence has in the great majority of cases been carried out only against the defenseless and the poor. Among those who died were many whose lives never meant anything more than a danger to the State in which they lived. Among those who died were others who save in the single crime for which they died had lived peaceful, and, in their little spheres, useful lives.

Strangely enough in modern social view, but understandable as representing the ancient humanitarianism of the law, there has grown up with regard to capital punishment in this State, as in others, the practice of saving from electrocution those idiotic and insane criminals who are the worst menaces to society, and of carrying out the sentence in the cases of those who are less dangerous since they are adjudged to be sane. Our humanity preserves our worst social enemies, but permits those who might conceivably safely return to society to die.

If capital punishment is to be continued, it should be contiued in a just and intelligent fashion. It should be made not merely a survival of a barbarous practice but an agency for cleansing society of the fiends which are in it. Certainly capital punishment should not be permitted to continue as a punishment preserved only for those too weak, too ignorant, too poor or too black to escape its horrors as others with more money or more influence do too often escape it in North Carolina.

If capital punishment in North Carolina is to be no more than a "frightful business of murdering ignorant Negroes," a self-respecting State ought to abolish it in the name of simple justice and simple decency.

CHARLOTTE, N. C.
OBSERVER

APR 1 - 1934

To the Citizens of Charlotte:

I direct your attention to the letter, elsewhere on this page, from Mr. Osmond Barringer, director of the CWA traffic survey, who complains of the leniency accorded a negro in city recorder's court last Tuesday charged with reckless driving and transporting liquor. Mr. Barringer cites the fact that the negro was fined $25 for reckless driving, although the evidence was that he "ran 50 to 60 miles an hour, and 40 miles an hour around corners, on West Fifth street, Sycamore street, West Trade street, Woodlawn avenue and other streets in this part of the Third and Fourth wards until caught."

Do you or do you not think a $25 fine is adequate punishment for one who dashes wildly over portions of half a dozen streets and around corners, at high speed of 40 to 60 miles an hour, in a densely populated residential district? Of course it was only sheer luck that several people were not killed. It is obvious that the negro was a potential killer. Under the law $25 fine is the minimum, not the maximum, penalty for any sort of reckless driving.

GENERAL MECKLENBURG.

CHARLOTTE, N. C.
OBSERVER

APR 1 - 1934

Mr. Arthur H. Wearn,
Mayor of Charlotte.

My Dear Mayor:

Thoughtful citizens approve your contention that the city government should take action designed to reduce the great number of homicides and other crimes committed among the negroes, as requested recently in a petition addressed to the council by the colored ministerial association. It was commendable on the part of the colored ministers of the city to petition the authorities for more rigid law enforcement among the people of their race, and for better sanitary and housing conditions, and their petition should be given serious consideration.

Of course there is little the city government can do to improve housing conditions immediately, and I am advised that the sanitary department is doing all that could be expected of it in cleaning up and hauling away trash and garbage from negro premises, just as it serves white residents. The immediate improvement that might be effected, if any, is the reduction of crime by more vigilance on the part of the police department in enforcing the law among the colored criminal element. Along that line much depends upon the courts, which have gained the reputation here as elsewhere of being too lenient with negro slayers and other criminals when their victims are members of the same race.

GENERAL MECKLENBURG.

CHARLOTTE, N. C.
NEWS

MAR 26 1934

BIT BY BIT THE FULL SIGNIFICANCE OF THAT INVESTIGATION IS COMING OUT.

Sir:

That group of Charlotte Negroes who last week drafted a petition, asking for better law enforcement in so far as the Negro race and the Negro districts here are concerned, indicted the police department on several counts.

Buried in the body of the resolution was a quoted statement from the police statiscians that in itself pointed an accusing finger. It said:

"There has been no Negro up for prostitution or adultery during these years which I have been associated with this department, despite the fact that they openly confess in the courts that they are just living together."

Don't the laws governing social conduct apply to those with dark skin as well as those with white? Or, perhaps, since the killing of a Negro isn't exactly murder in the eyes of the courts, adultery with Negroes isn't adultery "in the first degree".

Verily, we aren't so far removed from the 1860's and slavery.

H. W. JOHNS.

Charlotte.

GREENSBORO, N. C.
NEWS

SEP 13 1934

MECHANIZING CALEDONIA.

Report has it that Superintendent Jack Roach of the state prison is going to remove all the negro prisoners from Caledonia, man it with the more intelligent whites, thoroughly mechanize the farm and operate it with a view to supplying the bulk of the food needs of the prison population.

He can do it. The wonder is that some former superintendent did not think of it. Perhaps some of the superintendents did, but believing that the easiest way to please all hands was to grow cotton in the hope it would bring enough to show a profit for the penitentiary they kept the negroes and mules busy with attempting a vain thing.

It is time Caledonia was made more intelligent use of. Great farming land that lying along the Roanoke river. Great breeding ground, too, for malarial mosquitoes until the state, if it has done so, afforded its wards the protection to which they are entitled. It used to be said that the quickest way to get rid of a mountain convict was to send him to Caledonia where in a year or so he would sleep with his fathers and hence quit crowding other inmates of prisoners in an even-then-overflowing prison.

It is quite within the realm of probability that Caledonia mechanized can produce all the corn, meat and vegetables required by the entire convict population of North Carolina.

A splendid idea, Mr. Roach, and don't let's plant a single row of cotton, not even after the government takes its hands off that fool crop.

North Carolina

Crime-1934

VIOLENCE OF MOB MADE AN ISSUE

White Attorney For Defense Refuses To Sign Brief

3-3-34

UNFAIRNESS CHARGED

Norfolk, Va.

Lawyers Recall How They Were Attacked At Henderson

Special to Journal and Guide

RALEIGH, N. C.—The spectacle of the white member of a trio of lawyers helping to argue the appeal of two men convicted of kidnaping, but refusing to sign the brief in the case because it attacked the discriminatory jury system of North Carolina, was a highlight of the argument of counsel Tuesday before the Supreme Court of the state for a new trial for Rufus Kelly and Florida Bullock.

The youths are under life sentence for the alleged kidnaping of a white Vance County girl of 17, Mary Lena Van Dyke. Their appeal is the first test of the 1933 anti-lynching law which makes life imprisonment mandatory for conviction of kidnaping.

The question of race discrimination in their trial, and of mob violence unduly influencing the verdict, was raised. They were tried at Henderson last summer.

Questioned By Court

O. J. Gates and M. H. Thompson, Durham lawyers and counsel for the kidnaping defendants, argued before the high court that the exclusion of Negroes from jury service constituted illegal discrimination.

R. O. Everett, white Durham attorney, and the third member of the defense staff, had almost completed his argument Tuesday when a member of the court asked him why his name did not appear on the brief.

Everett explained that he had declined to join in any appeal attacking the manner in which the trial court was constituted. He was allowed to finsh his argument. At the trial at Henderson he had similarly refused to join in the defense motion against the exclusion of Negro jurors.

Everett in his arguments before the Supreme Court contended that the statute under which his clients were convicted did not cover the specific crime with which they were charged.

Mob Violence At Trial

The largest number of Negroes ever seen in the Supreme Court room was present for the argument of the case. The youths, Kelly and Bullock, were tried under the new kidnap law and given life sentences but Judge R. Hunt Parker expressed the opinion that the enforced judgment was too severe.

3-3-34

During the trial of the case there was an outburst of mob violence against the Negro lawyers in the case. Everett, a representative from Durham in the 1933 General Assembly, got his two associates away without damage to either of them, although they were fired upon and otherwise intimidated. The court ordered the lawyers supplied with a special guard at the Henderson trial after the outbreak.

This violence, the defense contended Tuesday, entered the jury box and swayed the jury in its decision. The state attacked this contention, saying that the demonstration against the Negro lawyers came after the trial was over.

Strong Case Made

Although Everett did not join in the attack upon the manner of drawing juries, the other two defense counsel, Gates and Thompson, assailed the Vance County practice, which bars the jury service of any but white citizens.

This system has prevailed in the county with out a break, it was argued, for 27 years. The argument on this point was much stronger before the Supreme Court of the state than it was when made in the Theodore Cooper case in Durham, for in that county, Durham officials say, Negroes have served within recent years.

It was the argument of the attorneys, assisted by M. C. Pearce, that this discrimination, indefensible and continuing, has been clearly shown and that the right of trial by a jury of one's peers is denied Negro defendants.

"Defendants Forgotten"

Although Everett was unwilling to go with the associate counsel on the attack before the high court on the jury system, he was apparently sympathetic with them in the issues raised. The debate had gone along for nearly an hour when Chief Justice Stacy offered the belief that "the defendant has been forgotten in this case," in the disagreement of counsel, in the uprising, and in the several manifestations of ill feelings.

"Didn't the other side raise the question of race?" Justice Clarkson asked.

"Rightly so." Everett replied without meaning to say it to the court. The unfairness to the prisoners was a legitimate complaint to make, Everett contended. He referred in his address to the court to the demonstration against his colored associates. Justice Clarkson was inquiring into that phase of the matter as touching upon the other issue, that is, the causing of a demonstration by the defendants' counsel in the interest of a mistrial.

N. A. A. C. P. Lawyers Present

Many of the spectators present were members of the National Association for the Advancement of Colored People, including two of the attorneys who were connected with the celebrated Crawford case, in which the jury question was also raised in Virginia. They were Edward P. Lovett and James G. Tyson of Washington, D. C., who are traveling in Virginia and North Carolina in the interest of the 25th anniversary celebration of the N. A. A. C. P.

J. M. Tyson, a Raleigh barrister, known throughout the country, listened to the whole proceedings.

Justice Clarkson's first question indicated an entirely different issue from that raised by his second. He asked as to the evidence of kidnaping. Assistant Attorney General A. F. Seawell said that the boys took the girl about a mile from her home. There was an attack on her with a knife, but apparently there was no attempt to violate her honor.

Given Assault Sentence

The boys were given as concurrent sentence, two years for the assault. Justice Clarkson was interested in whether there was evidence enough of a kidnaping to go to the jury. It was a point of the defense that any accusation made in the heat and fury of that violence-bent crowd would have been believed by the jury.

The defense also argued that it established a perfect alibi and by excellent witnesses, but such was the bloody attitude of the white populace that it would not believe reasonable testimony and evidence.

Main Point At Issue

The chief point that the court will consider when it takes up this case for decision is whether there was an opportunity for a fair trial.

The counsel for the defense made a very strong showing and left considerable evidence and argument to prove that the accused and friendless colored boys had had a very poor day in court.

Against their arguments, Assistant Attorney General Seawell declared that no evidence was brought forward to prove the exclusion of Negroes from jury duty by reason of racial discrimination.

ROCKY MOUNT, N. C.
TELEGRAM

JUL 11 1934

Increasing Prison Escapes

The shooting of a Siler City business man early Tuesday morning when he refused to aid two escaped convicts in remaining at large calls again to mind that the problem of law enforcement is not nearly solved when the culprit has been arrested, tried, convicted, sentenced and confined. In fact it almost appears now that the problem begins at the doors of the prison. For every day within the past two or three months that this newspaper has failed to carry stories of prison breaks, double and triple and quadruple breaks, coming at once, have kept that score well ahead of one per day. Yesterday there were four stories dealing with prison breaks. One concerned a Negro escapee sought for a criminal attack; another a convict who walked off from a road camp during a baseball game; a mass escape from a road camp; and the recapture of a murderer and a long term prisoner for the killing in Siler City.

Criticism of prison officials and guards, regardless of whether or not they have become negligent, is natural since the number of escapees is out of all proportion to what should be expected. Escape-proof prisons simply cannot be built and operated for prisoners occasionally will find a way to break out. Incorrigibles of the Otto Wood type can devise means, even under the noses of their guards, to regain their liberty unless they are confined in solitary. But escapes should be rare exceptions.

Unless prisons are made to hold convicts until their sentences have been served, they fail in their primary duty. In the Siler City case a man lost his life because prison guards did not prevent two incorrigibles from escaping.

Salaries paid to prison employees partially explains prison breaks, in our estimation. Morale of guards must be low when, on the salaries they obtain, they get little more than a bare existence. North Carolina will never develop a completely satisfactory prison system if the lot of guards, through abnormally low salaries, is not much better then that of prisoners. But by some means or another prison heads will have to devise means for lowering the escape records.

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"Rightly so." Everett replied without meaning to say it to the court. The unfairness to the prisoners was a legitimate complaint to make, Everett contended. He referred in his address to the court to the demonstration against his colored associates. Justice Clarkson was inquiring into that phase of the matter as touching upon the other issue, that by the defendants' counsel in the interest of a mistrial.

N. A. A. C. P. Lawyers Present

Many of the spectators present were members of the National Association for the Advancement of Colored People, including two of the attorneys who were connected with the celebrated Crawford case, in which the jury question was also raised in Virginia. They were Edward P. Lovett and James G. Tyson of Washington, D. C., who are traveling in Virginia and North Carolina in the interest of the 25th anniversary celebration of the N. A. A. C. P.

J. M. Tyson, a Raleigh barrister, known throughout the country, listened to the whole proceedings.

Justice Clarkson's first question indicated an entirely different issue from that raised by his second. He asked as to the evidence of kidnaping. Assistant Attorney General A. F. Seawell said that the boys took the girl about a mile from her home. There was an attack on her with a knife, but apparently there was no attempt to violate her honor.

Given Assault Sentence

The boys were given as concurrent sentence, two years for the assault. Justice Clarkson was interested in whether there was evidence enough of a kidnaping to go to the jury. It was a point of the defense that any accusation made in the heat and fury of that violence-bent crowd would have been believed by the jury. The defense also argued that it established a perfect alibi and by excellent witnesses, but such was the bloody attitude of the white populace that it would not believe reasonable testimony and evidence.

Main Point At Issue

The chief point that the court will consider when it takes up this case for decision is whether there was an opportunity for a fair trial.

The counsel for the defense made a very strong showing and left considerable evidence and argument to prove that the accused and friendless colored boys had had a very poor day in court.

Against their arguments, Assistant Attorney General Seawell declared that no evidence was brought forward to prove the exclusion of Negroes from jury duty by reason of racial discrimination.

ROCKY MOUNT, N. C.
TELEGRAM

JUL 11 1934

Increasing Prison Escapes

The shooting of a Siler City business man early Tuesday morning when he refused to aid two escaped convicts in remaining at large calls again to mind that the problem of law enforcement is not nearly solved when the culprit has been arrested, tried, convicted, sentenced and confined. In fact it almost appears now that the problem begins at the doors of the prison. For every day within the past two or three months that this newspaper has failed to carry stories of prison breaks, double and triple and quadruple breaks, coming at once, have kept that score well ahead of one per day. Yesterday there were four stories dealing with prison breaks. One concerned a Negro escapee sought for a criminal attack; another a convict who walked off from a road camp during a baseball game; a mass escape from a road camp; and the recapture of a murderer and a long term prisoner for the killing in Siler City.

Criticism of prison officials and guards, regardless of whether or not they have become negligent, is natural since the number of escapees is out of all proportion to what should be expected. Escape-proof prisons simply cannot be built and operated for prisoners occasionally will find a way to break out. Incorrigibles of the Otto Wood type can devise means, even under the noses of their guards, to regain their liberty unless they are confined in solitary. But escapes should be rare exceptions.

Unless prisons are made to hold convicts until their sentences have been served, they fail in their primary duty. In the Siler City case a man lost his life because prison guards did not prevent two incorrigibles from escaping.

Salaries paid to prison employees partially explains prison breaks, in our estimation. Morale of guards must be low when, on the salaries they obtain, they get little more than a bare existence. North Carolina will never develop a completely satisfactory prison system if the lot of guards, through abnormally low salaries, is not much better then that of prisoners. But by some means or another prison heads will have to devise means for lowering the escape records.

ROCKY MOUNT, N. C.
TELEGRAM

OCT 12 1934

Youth And The Electric Chair

The executive committee of the Rocky Mount Civic Forum, a local Negro organization, is attempting to persuade Governor Ehringhaus and Commissioner of Paroles Gill that the execution of Booker T. Watson, 15-year-old Negro, for murder would be an injustice. The Forum presents the fact that the boy's grandmother died insane and maintains that Watson is sub-normal, a fact with which most people who studied his case will readily agree. Otherwise, there is patently no excuse for the crime he committed.

Because of the experience of North Carolina with the notorious Jake "Sunshine" Jones, both the Governor and the Parole Commissioner are likely to act more slowly in this instance than had there never been a Jones case. But North Carolina has never, in its history, taken the life of a 15-year-old child in the electric chair. Watson is destined to spend the rest of his life in prison, if he escapes the death penalty, since he is an undesirable citizen and a dangerous one. But North Carolina will not benefit itself by taking the life of a child, especially when there is every reason to believe that his act was not a coldly premeditated one but rather the crime of a simple-minded, sub-normal person whose impulses were far more powerful than his ability to control them.

GREENSBORO, N. C.
NEWS

AUG 13 1934

FAIR WARNING.

The wounding of a negro boy, reported to have occurred when an officer's pistol was "accidentally discharged" must at least serve to make Greensburghers more or less apprehensive in the light of the man-sized arsenal which has been purchased and will doubtless soon be turned over to the ministrations of the minions of the law.

As a Daily News reporter developed the story, the officer in question had hidden his car to watch for prowlers around other machines on a down-town parking lot when the negro lad, violating no law so far as anybody knows, approached. In the meantime the departmental artillery was lying on the seat of the officer's car. After calling to the negro, the guardian of the peace, a plainclothesman, "opened the car door, and the pistol was accidentally discharged as he stepped out of the machine". Nevertheless the gun rivaled its predecessors of the stumbling age in finding a target; i.e., the shoulder of the "approaching" lad.

What worries, aside from any injustice which may have been done, is the recollection that several machine guns have been bought for the police department and will presumably be intrusted to the handling of Greensboro's finest. If a pistol is left lying around on the seat of an automobile to drop out discharge accidentally and send a fellow to the hospital, there is grave concern over what might happen when machine guns are turned loose in the community.

Before officers are so armed, it is earnestly recommended that they be trained in the handling of these more powerful weapons and that special emphasis be placed upon responsibility not only for their usage but their mere carrying around. If one of Mr. Browning's, Mr. Lewis or whoever it is makes 'em, finest dropped from a seat and started rat-tat-tating, heaven help any and all of the going-about-their-business citizenry.

Greensboro N.C.
Daily
7-16-f 23-34

WHITES TAKE THE LEAD.

The situation on death row in State prison, where the condemned await execution or commutation of death sentence to life imprisonment, is unusual, unprecedented, it is believed. Of the 21 persons awaiting execution twelve are white and nine colored. The number of whites in prison is all the time increasing, the number being near equal, in some instances in localities in excess, of the colored, who have through the years had a monopoly. But this is the first time that the pale faces have outnumbered the blacks in the list of condemned.

It may be a just happen so, three negroes having been electrocuted in one day recently, but we would believe that it has some significance, that the law is less disposed to regard the color of the skin than formerly. Criminals of the white race in North Carolina are increasing so rapidly that the colored can't keep up with them. That has its effect, too, in giving less consideration to pale faces.

It is not believed that as a rule jurors have with deliberation and premeditation convicted the blacks while whites under similar circumstances have been favored. That has no doubt been true in some cases, or at least blacks have gone to death or to long terms in prison when whites would have escaped or been punished for lesser offenses under exactly similar conditions. The determination to give the colored a fairer show in courts has notably increased in recent time. The handicap has been not so much the color of the skin as the help the white was able to command and the black could not. Two persons may be tried under the same conditions, similar evidence. But the one who has help, has somebody to work for him, may fare better. Usually the white could command the help and the negro couldn't. That accounts for difference in numbers more than racial prejudice, notwithstanding the crimes justly laid to the latter cause.

We may hope that more and more criminals will be criminals in North Carolina courts, and that regardless of the help given them the equally guilty may suffer the same punishment. The black unable to secure help will continue to be at a disadvantage unless the courts make it a point to see that he gets all that is coming to him. That is simple justice. The judge who fails in that respect discredits the judiciary.

Charlotte, N. C., News
December 14, 1934

Negro School Principal Asks Help Of Police

Principal Grigsby Complains That Police Officers Fail To Arrive When Summoned.

Principal J. E. Grigsby, of the Second Ward negro school, has complained to Harry P. Harding, city superintendent of school, that his school has a difficult time in getting police officers when they are needed. He asked ... better police protection.

The complaint has ben passed on to Chief of Police Ed Pittman by the school superintendent.

In a letter to Superintendent Harding, Principal Grigsby cited several recent cases when officers were asked to come to the school and none ever appeared. One instance was when a boy threw a firecracked through a window into a school room, and was caught by the janitor and held in the principal's office pending the arrival of officers, who never came. On another occasion recently, near panic was averted after a firecracker had been set off in the auditorium when a public occasion was in progress.

In summary Principal Grisby said that he had great difficulty in getting any sort of police protection when it was asked for or officers were called.

GREENSBORO, N. C.
NEWS

DEC 12 1934

STARTED RIGHT BUT—

Authorities of Laurens county, South Carolina, should have the credit of starting out in the right way, whatever the conclusion. When a white guard killed a negro convict, shot him in the back because the negro had knocked him down when he escaped from the gang, he was promptly committed to jail and the coroner's jury recommended that he be held for trial for murder. The convict who escaped by knocking down the guard was in custody 24 hours later. The superintendent and others took him to a vacant house to administer a whipping, the penalty for his escape. The guard who had been knocked down was not a member of the party. Probably left out lest he show feeling because of his encounter with the negro. But he came in during the proceedings and before anybody knew what he was about he had shot the negro twice and killed him.

The premeditation and deliberation were there, but convicting a white man of first degree murder under the circumstances just isn't done. But it must be agreed that the prompt landing of the guard in jail and the action of the coroner's jury were in the right direction.

Members of the United States forestry service made war on porcupines in the Allegheny national forest in Pennsylvania. Poison tablets of salt and strychnine intended for the undesirable porcupines were distributed through the three C forces

How many porcupines died as a result of the poisoned bait is not of public record but 43 deer were found dead before it occurred to the promoters of the porcupine poisoning scheme that wild creatures for whom the poison was not intended might get it. One would expect members of the forestry service to know better, but those in the Pennsylvania preserve were ignorant, as the story has it.

At Madison, Wis., Walter H. Stehle stood before the motion picture house and said to every approaching patron: "The show's rotten, don't go in." For that he was arrested and fined. And yet Stehle could have walked on the street and told all he met the same thing, or he could have printed it in a newspaper, and he would not have been liable so long as he adhered to an honest expression of opinion and did not misrepresent. He got too personal when he stood at the door and advised patrons not to go in

R. R. CLARK

Crime—1934

North Carolina

CHARLOTTE, N. C.
NEWS

DEC 23 1934

Treating the Master for His Servant's Malady.

It has been called to our attention by a gentleman who did not care for the editorial about Grade A and B sins that the South's propensity for crime is credited by the more astute authorities to the large Negro element in our population. This, partly for the purpose of argument and because it is partly true, we concede. (*)

Thereupon he introduces the concession by thinking people that our churches are society's greatest asset, the best means we have —

> ". . . to build that intangible and invaluable true greatness in a man or a nation — character."

Thus the Negro is disclosed to be the explanation of our diligence in crime, the church as the best instrument of its prevention. One could almost wish that the Negro and the better-equipped, more influential churches could be brought together. Until that millenium (and by the way, are there going to be Jim Crow arrangements in that happy ero?), we believe society's most effective antidote for its most virulent poison would be a treatment that actually reaches the sufferer.

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*[Arrests in the city of Charlotte during the first 11 months of this year: white persons, 3,824; Negroes, 2,705. The county has no ready figures but reports that perhaps two-thirds of those arrested were white and "young white people" at that. Negroes are about 30 per cent of the city's population.]

Unusual Privilege

Walter L. Cohoon, Elizabeth City lawyer, who was recently sentenced to serve two months in jail for attacking a fellow barrister with a cane, pocket knife, etc., is now given the unusual privilege of selecting the jail in which he will serve the sentence. With commendable promptness he has turned down the hoosegow in Elizabeth City, and moved his trunk to the Fayetteville jail.

And thus, to a large extent, is the end of justice defeated.

The court, in allowing Mr. Cohoon, whose fight apparently grew out of his trial on charges of embezzlement of a trust fund, a case in which his conviction was nullified by a ruling of the Supreme Court, evidently moved to relieve the lawyer from the prospect of humiliation. Inimical townsfolk could make life miserable for Mr. Cohoon if he stayed in the Elizabeth City jail, and if he were given limited liberties enabling him to have the run of the jail yard there would be those to taunt him and speak of undue special privileges.

Yet after all, humiliation can hardly be separated from any scheme of effective punishment. Mere detention sometimes is of itself no punishment at all.

All of which is detrimental to the proper enforcement of the law. It bespeaks an inequity which tends to create disrespect for law. Because a man has money or is versed in legal lore, he is not intrinsically of better calibre than the mechanic or the digger of ditches. He is not built of better mud. The educated sharper is a greater menace to society than the poor Negro who breaks the lock on the white man's hen house door. If we give the lawyer who breaks the law special privileges, then other lawbreakers are entitled to them. And where would a general dispensation of special privileges lead us?

Crime-1934

North Carolina.

ROCKY MOUNT, N. C.
TELEGRAM

APR 11 1934

Killer Escapes

The escape of Jake Jones, youthful Negro, from the Goldsboro hospital for criminally insane where he faced a life sentence for murder, revives the question of what is the proper attitude for the State to take in handling incurably dangerous murderers. Jones, it was proved in court, shot a man to death out of revenge; he killed the operator of a filling station who a short time before prevented the Negro's robbing his station. Sentenced to die Jones was later sent to the hospital for life. His career there has made life rather hectic for guards. Jones led an escape attempt that was frustrated. Jones finally gained his freedom by sawing bars and climbing through the opening. Before he is re-taken, Jones will kill, if the occasion arises, as wantonly as he killed in Raleigh. His record serves to demonstrate that willingness.

This newspaper does not advocate death for incurable and dangerous imbeciles who must be confined as a protection for society unless they are guilty of some capital crime. But when men are convicted of crimes as unpardonable as that of Jones and when they are known to be as great a menace to the comfort of society as Jones, there is no particular point in preserving them for further trouble. If there is a purpose in capital punishment, it is to use this machine to weed out such members of society who, by every action, are beyond the pale of redemption and are unfitted for liberty or for association with their fellows. Such a person is Jake Jones.

Eventually society will find a means of dealing with incurable persons, a means that will work to their advantage and to the advantage of the State. We do not doubt, when a solution is reached, but that hopelessly incurable and dangerously insane people will be disposed of easily and quickly. In the meantime the case of Jones illustrates over again the necessity for dealing with this nature of crime at the source and to seek the elimination of defectives through the removal of causes. If the history of Jones were known, we dare say, it would be an easy matter to determine the cause for his condition. The pathetic part is that hundreds of other cases have either developed or else are developing about us.

Jones, because of the Governor's desire to be lenient, will have to serve his sentence in prison unless in his capture he is killed. In case he kills in being taken, he will probably be regarded as a fit object for the supreme punishment the State exacts for the most serious of crimes.

GREENSBORO, N. C.
NEWS

APR 18 1934

IN WHICH BLINDNESS IS QUESTIONED.

Justice, as it has been pictured all these years, may be blind; but ever and anon there arises reason to question the status of the old gal's eyesight or, at least, to re-examine the blindfold which some of our ancestors placed across her brow how-many years ago.

There are, if one cares to become specific, two incidents which occurred last week.

A negro defendant, more or less publicised around Charlotte as the "pants thief," was apprehended on one of his nocturnal adventures, after he had made the mistake of entering a house in which some one was sleeping, and arraigned in Mecklenburg county Superior court for first degree burglary. Evidence as summarized in dispatches tended to show that he was a harmless sort of individual; a sneak thief type who was interested only in the contents of trousers' pockets and not in manifestations of violence. He was not armed at the time of his apprehension and was yanked from a hiding place to which he had scurried, obviously terrified, when discovered in his purloining act. Upon conviction, he was sentenced to die in the electric chair.

Similarly a negro intruder was placed on trial in Richmond county Superior court at Rockingham where, over protest of the solicitor which there is no attempt to say here may or may not have been justified, he was allowed to submit on a second degree count and subsequently sentenced to life imprisonment. Yet, press dispatches are authority for the statement that his was an "aggravated crime," that he not only entered the house but "threatened to kill and criminally assault members of the family" and that the only mitigating circumstance was his intoxicated condition And here the argument, over whether whisky tends to excuse or accentuate the heinousness of and culpability for a crime, starts all over again.

But the Daily News is not primarily interested in these disputatious by-products. It merely wonders how a goddess, if really and truly blind, can to all appearances so often suffer from astigmatism in one eye or t'other.

Raleigh, N. C., News & Observer
April 25, 1934

DR. CRANE AGAIN

Dr. Harry W. Crane, of the psychology department of the University of North Carolina, yesterday announced that a Negro convicted in Charlotte of first degree burglary and senteneed to death has the mind of a 7-year-old child. On the strength of the psychologist's opinion, the Negro's lawyers will ask for a commutation of his sentence to life imprisonment.

Death is perhaps harsh punishment for "breaking into a dwelling house at night with intent to commit a felony." The Charlotte Negro is called a "pants thief" and he was unarmed when he was caught in a residence. There may be good grounds why his sentence should be reduced from death to imprisonment, but, with the memory of "Sunshine" Jones' escape from the Goldsboro asylum still fresh in North Carolina, criminal idiocy ought not to be one of them.

Dr. Crane was one of the mental experts instrumental in preserving "Sunshine" Jones. His judgments as to the mental capacity of his criminal subjects are probably all too accurate. Criminals who are as mentally irresponsible as Dr. Crane said "Sunshine" Jones was, and as he now says the Charlotte burglar is, ought not to be preserved in a State which is interested in the safety of its citizenship.

In many cases death is too extreme a penalty for a humane State to exact from an unarmed burglar, serious as the crime of burglary is. But one thing which should not serve as an extenuating circumstance is the fact that the criminal is idiotic or insane. All other things being equal, criminals should be saved who may conceivably be returned with safety to society, and the death sentence should be carried out without sentimentality in the cases of those whose mentality makes it certain that they will never be other than menaces to the safety of law-abiding men, women and children in the State.

CHARLOTTE, N. C.
OBSERVER

APR 27 193[illegible]

To The Observer:

The public is anxiously awaiting for a decision from the Supreme Court of North Carolina regarding the death sentence of Willie White, Charlotte negro, who was found guilty by the Mecklenburg Superior Court for burglarizing the home of a white resident a few days ago and is sentenced to be electrocuted Friday, July 13.

We are not inclined to try to create an element of doubt as to the guilt of this man in this case but are rather inclined to feel that the courts are more interested in dealing with the effect than the cause of crime.

Now let us take a view of this situation and find the cause of this crime.

Was this negro, Willie White, familiar with visiting this place at any time before this occurrence? Was he familiar with the people who were former residents

of this house?

It was pointed out that he was familiar with the former residents of this house who were notorious bootleggers and he visited this house time and again for the purpose of buying liquor. For this reason Willie White visited this house on the night he was arrested he said.

I noticed in The Charlotte Observer a few days ago where an organization of prominent white citizens, men and women, including some of the church men and others, drew up a petition and presented it to some of the State officials of North Carolina protesting against the wholesale slaughter of negroes by electrocution in the State of North Carolina.

They claim that Capital punishment has done very little towards reducing crime as there are more criminals now than ever in the State of North Carolina.

Should the public take side with this group of citizens in protesting against Capital punishment in North Carolina?

The cause of crime and the punishment of criminals is a very serious problem.

The efforts of the fair-minded white citizens in protesting against Capital punishment of negroes in North Carolina through electrocution will strike a terrific blow against injustice.

The efforts put forth by the attorneys in appealing the death sentence of Willie White will be highly appreciated by the general public at large.

Is it necessary to electrocute Willie White and will his death eliminate first degree burglary? We know the answer to that question. Capital punishment does not reduce crime.

Charlotte. WOODS MORGAN.

GREENSBORO, N. C.
NEWS

MAY 3 - 1934

NOTE ON CAPITAL PUNISHMENT.

When advocates of capital punishment are drawn into an argument, they glibly recite the need for the death penalty as a crime deterrent; those who go to the death chair provide horrible examples; this is what will happen to you if you commit a murder in North Carolina. But there must be certain "ifs" and "ands" which make a veritable sieve of this contention.

Else how is it to be explained that, on the basis of representative crime statistics gathered by the department of justice, North Carolina averages 234 murders and non-negligent manslaughters per 1,000,000 population as contrasted with the 71 national average? The same goes for this state's average of 5,666 aggravated assaults, including shooting, cutting, stabbing, poisoning, scalding with acid, mayhem, maiming and attempts to kill, against 507 for the nation.

The Daily News makes no attempt to explain. It is quite possible that the discriminations of justice, particularly in its ultimate relationships with the death penalty, are an influential factor. What percentage of North Carolina crime, of southern crime for that matter, with special reference to the violent sort as typified by murder, manslaughter and assault, involves negroes? How many of the principals, either victims or offenders, are negroes? What value do North Carolina and southern courts place upon a negro life? How many white men have you ever heard of who got the death penalty, with all its heralded effects as a crime deterrent, for murdering negroes? How many negroes have been executed for slaying members of their own race? How seriously does the average court treat a negro cutting or shooting scrape? What value is placed upon a negro life anyway?

Not so many months ago a Charlotte negro was tried for murdering his sweetie. She had been burned to death in horrible and apparently premeditated fashion. A more atrocious crime could hardly be conceived. Did the duly convicted slayer get the electric chair? There is doubtless no connection whatever between the two cases, but quite obviously the Charlotte denouement failed to deter the slaying of a "respected negro merchant and teacher" at Fayetteville Saturday night; his head had been bashed in, his cheek and neck stabbed and his body sprinkled with kerosene. Two other negroes have been arrested for the crime. One merely wonders what, if convicted, they'll get for it.

The death penalty as a crime deterrent in North Carolina; it is to laugh grimly, sardonically, mockingly as the devil is popularly conceived to laugh.

CHARLOTTE, N. C.
NEWS

MAR 12 1934

As Expected.

The News has been fearful that the constant shooting of Negroes by Negroes, which goes on more or less undeterred by adequate policing of the Negro districts and by suitable punishment of killers, eventually would break out of bounds and involve white persons. The tragedy yesterday, when a wild buck shot five times at a Mr. Snyder after a near collision between the automobiles of the two, confirms our fears.

It is fortunate, if there be anything of fortune in this affair, that the man wasn't killed and that his wife and baby with him were not hit.

The News feels certain that the Negro will get the punishment he deserves, all of which will not be of much consolation to the injured citizen. Otherwise, The News feels certain that the responsibility for this shooting may be laid to our previous indifference to the killing of Negroes by Negroes, which has bothered nobody very much.

RALEIGH, N. C.
NEWS OBSERVER

MAY 9 - 1934

What Is Crime?

In the Superior Court in Raleigh on Monday a white transient named Charles Hall, who is "the son of a prominent official in the Federal Revenue Office in New York," was let off with the costs by Judge Henry A. Grady.

Hall's crime was this:

Late in the afternoon of March 24 he entered the house of Mrs. Jacob Adams, a white woman, who was then recovering from an appendicitis operation. He got in the sleeping woman's bed and attempted to rape her. By the time help arrived in answer to her screams Hall had brutally beaten her, stripped her of all her clothing, and was dragging her to the rear of her house. With her face and body battered and one eye closed by a blow, she had to be taken to the hospital. The city solicitor in City Court expressed the belief that she would have been killed if a Negro neighbor had not come in answer to Mrs. Adams' cries for help and shot Hall in the leg.

In the Superior Court on Monday, Hall offered no defense except to say that he was drunk and remembered nothing that occurred on the day of the assault. He also said he was once confined in an institution for treatment of a nervous condition. Reference was made to Hall's still injured leg. Welfare workers told Judge Grady that Hall had committed no crime in the brief period he had been in Raleigh before he attempted to rape and did seriously beat Mrs. Adams. So Judge Grady let him go with the mildest of punishment.

There are men in State's Prison today and who will be there for years whose crimes were no more serious than this one. Men have been given more serious punishment in Judge Grady's court for possession of a gallon of bootleg or for reckless driving on a highway. Such diversity in punishment can only puzzle the public as to what is crime and what is its punishment. Surely it is not merely a perverse bewilderment from which the public suffers when it beholds one man turned loose on payment of the costs for a crime for which another man before another judge might have been sentenced to long years at hard labor.

Certainly a judge should be armed with some discretion to make punishment fit the crime. Nevertheless, when the public beholds greater punishment given to a man who violates traffic rules, or who possesses a pint, than is given to another for brutally assaulting and attempting to rape a sick woman in her own home, such discretion becomes merely one of the factors which today are destroying faith and confidence in American justice.

CHARLOTTE, N. C
NEWS

OCT 23 1934

On to the Next Murder.

No longer ago than Sunday, prompted by the 31st homicide of the year, we were expressing in advance pity for the certain 32nd victim. There was not long to wait before he could be identified.

Sunday night Will McMurray, Negro, was stabbed and wounded fatally by a woman of his race. A couple of other Negroes were shot in other brawls, but they still are occupying beds in the Good Samaritan hospital rather than laying-out tables in some undertaking establishment. There is, too some doubt in our mind whether McMurray is No. 32 or 33, for Saturday a Negro citizen of the county gave up the ghost and succumbed to earlier wounds. The charge against his assailant was changed to murder.

But in the city proper there have been 32 homicides thus far in 1934. There will be, if the average is maintained, one and a third persons more to meet violent death at the hands of others before November arrives upon the scene.

Crime-1934

North Carolina

Kinston, N. C., Free Press
January 15, 1934

Our Responsibility

NEWS stories from Greene County recite that a Negro went gunning for another Negro and wounded four and that a Negro with a grudge against another decided to shoot him and shot the wrong man. Fortunately none of the five victims was seriously hurt.

They do some remarkable things these colored friends of ours in the rural districts.

What happened in Greene could have happened in any other Eastern Carolina county, of course. Colored shootings and cuttings are so numerous we pay little attention to the winging or slashing of an individual of that race.

But it strikes us we should begin to pay a little more attention to the conduct of our Negro neighbors, lest they continue this sort of thing to the point of extinction.

Perhaps it is because the section's whites are so careless of human life that the colored Eastern Carolinians have been so free with knives and guns of late. They are bound to emulate us. We set them examples in respectability and industry and other virtues and they follow them implicity. We drink before them and, as children, they imbibe. In any other vice will they follow us. Sometimes they fail to keep up; it strikes us that they have not killed or maimed their share of people with automobiles. An economic factor comes in there, however; Negroes own comparatively few cars.

The courts can "shut down" on our gun-packing, razor-toting colored friends and jam the prisons with them. But that will not eradicate the evil. The white population can improve its morals and the Negroes will emulate it to the fullest extent.

Kinston, N. C., Free Press
February 17, 1934

Think on These Thi

IT is not unusual in these days to hear a superior court ...ge who has long been on the bench or who has had extensive practice in years past, profess his amazement and concern at the rapidly increasing number of white people, particularly youths, being brought into criminal courts for various offenses. Particularly true is this in respect to larceny cases.

A decade or more ago it was rare to have a white boy or girl or youth in court charged with plain stealing. It was not so unusual for colored people of both sexes to be arraigned on theft charges.

State Prison records, we believe, for the past few years, have shown a preponderance of new enrollments coming from white youths, under 25 years of age.

This situation calls for some real thinking. Somewhere society is unmistakably taking short and failing to inculcate into the minds of youth, especially the white youth, the great importance of honesty and integrity. Indeed it is a deplorable state of affairs.

The editor of The Free Press was particularly interested in some statistics given by speakers at the Inter-racial Commission Conference at Raleigh Thursday indicating that while the increase in crime committed by white people was a subject challenging the attention of the leaders of society, the criminal record of Negroes was showing a rather encouraging decrease. J. A. Cotton, vice chairman of the Inter-racial Commission, who presided at the afternoon session gave some rather startling statistics gathered from a survey in Vance County, where he lives. He told the conference that in a survey and analysis of the Superior Court records at Henderson for a period of 6 years, it was shown that there had been a decrease of 36 per cent of criminal indictments against the Negro population while the same records showed an increase of 76 per cent in indictments of white people. The population of Vance County, he stated, was approximately 44 per cent Negroes and 56 per cent white.

The Free Press believes that while the Henderson ratio is perhaps larger than the average, nevertheless, it is indicative of the trend and growing problems.

The Negroes are to be commended for the fine improvement they are making and for their increased respect for law and order. Whether we white people like it or not, our records are nothing to boast of and as a matter of fact, are more shameful than otherwise.

CHARLOTTE, N. C.
OBSERVER

FEB 17 1934

Prison Population.

To the Editor of The Observer:

Anent your recent editorial calling attention to the fact that "the white prison population over the negro is steadily growing," I beg to quote the following from an article by this writer in The Laurinburg Exchange of February 9th, 1933, titled "Why Education No ...revents Crime and Holds men in ...":

...m 1916 to 1932, whites committed to State prison increased from 149 to 1,597, as against increased negro commitments from 254 to 1,279. Of the 723 commitments under 21 years old during the two years ending in 1932, 423 were white and 300 colored. Of 112 forgery commitments, 104 were white and only 8 colored. From 1916 to 1932 increased tax appropriations for public schools netted the Old North State a crime-increase of 971 per cent from the 233 per cent more expensively educated white race, as against 400 per cent crime-increase from the less expensively educated negroes. If long school terms and higher education and the high-cost of education, as autocratically administered by the educational bureaucracy, is an effectual crime-eradicator, why this deplorable showing by the white race in the face of the postulated advantage of a 233 per cent higher educational cost therefor?"

The article above quoted from was in reply to an Exchange editorial disclosing the fact that, "In 1916 expenditures for public education (below college level) for a two-year period amounted to $8,786,712. And in 1930 this had jumped to the stupendous total of $55,923,062. From 1916 to 1930 the cost of public education in the State increased 536 per cent. In the same period the prison population increased 474 per cent."

"Where then is our school and educational system breaking down? What influence is it that prevents crime and holds men in restraint?" asked the Exchange editor in conclusion.

L. A. TATUM.

Laurel Hill.

CHARLOTTE, N. C.
NEWS

MAR 5 - 1934

Not A Four-Bit Judge.

Judge N. A. Sinclair finds on the docket of some superior court —for the moment we have forgotten the county—a case brought by the State of North Carolina against John Gant, Negro, charged with the theft of an axe worth fifty cents. In the belief that his and the court's time can be put to better use the judge orders the case dismissed.

At first disposed to give him if not a hand at least a line or so of compliment picked out with two fingers, on second thought we don't see that the judge's action gets him, the administration of justice or those of us administered on, anything.

Quite possibly the action ought never to have been brought; but we have heard that in justice, as perhaps in some other public or private relations, the principle is the thing to be considered. We have for some years been following, with not infrequent admiration mixed with occasional lack of awe, the career of this Cumberland county jurist who is seldom averse to a bit of display type that does not detract from his prestige, and frankly there is little in the record to indicate any exceptional tenderness of either the state's time or money in the handling of court business.

Still and all, if he is going to swear off even the appearance of being a four-bit judge, we are for him.

HENDERSONVILLE, N. C.
TIMES NEWS

MAR 10 1934

SENDING A BOY TO MILL

Bandits robbed a bank messenger and his guard of $50,000 in the city of Greenville yesterday. The crime was committed in daylight and the robbers made a clean getaway. Richmond came back in the dispatches last night when a Federal Reserve truck was held up and robbed and its driver killed.

The robbery in Richmond was the second of its kind in that city within a fortnight. That in Greenville is the first of its kind in that city. Both crimes are warnings to other cities that the South is not immune to the operations of bandits and they should convince institutions and agencies that transport large sums of money of the folly of neglecting to provide sufficient protection.

In Greenville a negro messenger was accompanied by a bookkeeper acting as a guard. In Richmond the truck was as poorly protected. Unless protection is given funds in transportation the time will come when insurance companies will refuse to issue policies against robberies except for largely increased premiums.

Since the criminals that have largely confined their operations to large Eastern and Western cities appear to be moving southward, the safe thing to do is to prepare to give them proper reception, one that will send the survivore back to their former field. That cannot be done by lack of preparation on the part of the institutions that transfer cash, the agencies that handle it or the police in cities where these robberies are likely to take place.

It is like sending a boy to the mill to have two untrained men to handle large sums that have been involved in recent robberies.—Spartanburg Herald

RALEIGH, N. C.
NEWS OBSERVER

MAR 26 1934

MORE THAN ENFORCEMENT.

Charlotte News.

The Negro pastors' concern over crime among their people seems well founded; they point to the commission of half the crimes by a third of the population. They should remember one point, though. In examining court records and finding arrests, convictions and the like it should be remembered that it is much easier to punish a Negro than a white man. The Negro hasn't as many friends in court as the white man and those he has have no great influence.

In theory justice is blind; all men are born free and equal; everyone is secure in his person under the impartial protection of the law. Also nobody can sell liquor in Charlotte; nobody can buy it. Drunken drivers are not allowed. Those are theories; they do not work out exactly in practice.

The law itself will be unable to cure the things of which the Negro pastors complain. There must be a raising of the Negro's standards, and they must do most of the raising. It is almost impossible to raise any other person's standards.

This much is certain. Few persons, white or colored, engage in crime if they are thrifty; if they own a little property; if they are actively engaged in community betterment work; if they seek associates who are familiar with the decencies of life.

White people as well as Negroes would find crime decreasing if these things were sought for, if they set a definitely higher standard of education, morality and thrift.

Law enforcement itself can never cure anything. Law enforcement is a necessary thing but nobody will raise his standard of life if he relies on it alone.

RALEIGH, N. C.
NEWS OBSERVER

MAR 18 1934

THE EDUCATION OF LOUIS GILL

A 6-year-old child was brought to the State Prison in Raleigh on Friday to be present when the State killed the Negro who murdered his father. The little boy, Louis Gill, was not permitted to enter the death chamber to see the actual electrocution of his father's slayer, but he was a curious onlooker as the corpse of the man was brought out after the dynamos had had their way with him.

The uncle who had brought him left the little boy outside, waiting while he went in and saw the work of electricity upon the human flesh which had killed his brother. Then he came out to join the little boy who was watching the loading of that dead human flesh into a hearse.

The influences which are to be brought to bear upon the shaping of the life of little Louis Gill are not the concern of *The News and Observer*. They are not even in the fullest degree the concern of the state. If little Louis is going to be schooled in bloody revenge, educated by the spectacle of the deadly act of the state upon his father's murderer, that is primarily the concern of those who are by blood and law the guardians of this orphan boy.

The state of North Carolina does have a concern in the matter, however. For reasons of either decency or shame, the state has decreed that executions in North Carolina shall not be held in public for the edification of the crowd which used to gather in a spirit of curiosity and holiday for a hanging. If the state means to kill in seclusion, it should bar out first those who have a possible vengeful interest in the execution.

In exercising the state's sovereignty over human life, the state is presumed to act with [illegible] and [illegible] attitude of [illegible] cold [illegible] of justice [illegible] if. Passion has no place in the human abattoir of North Carolina. The state certainly does not mean to act as executioner for the vengeful or in any way serve blood retaliation for the benefit of the relatives of the slain. Certainly the state does not wish its killings to be made a violent bloody thread in the pattern of a little child's education.

Yet that is what the state has permitted in the case of little Louis Gill. At 6, Louis is barely old enough to be receiving the formal education which North Carolina provides for its children, but he is apparently not too young to receive instruction in the continuing barbarity of life from his state in the prison yard where green grass and flowers grow outside the narrow bow windows of a room set aside for death.

Raleigh, N. C., News & Observer
April 27, 1934

A JOB FOR THE LEGISLATURE

If, as is expected, Theodore Cooper, Negro, of Durham, dies in the electric chair this morning a little while after Raleigh citizens have finished their breakfasts, the facts which surround his death ought not to be forgotten when the next General Assembly convenes.

Governor Ehringhaus took a logical position when he declared that the fact that one criminal escaped was no reason for permitting the escape of another. On that ground Cooper is expected to die today. On that ground Johnny Lee died several months ago. Yet the two men who incited both of them to murder, who were the actual authors of the crimes they committed and who hoped to profit by their crimes are alive and safe from electrocution today under the North Carolina law.

The next General Assembly should see to it that no such escape shall be possible to those who incite murder in North Carolina in the future. Men who plan murders and secure their commission are morally as guilty as the men who actually do the killing. They should be made equally guilty under the law.

Crime - 1934

Pennsylvania

4,000 NEGROES DEFEND THEMSELVES AGAINST PHILA. POLICE ATTACK

PHILADELPHIA, August 2.—Culminating a long campaign of terror, wholesale evictions, discrimination in relief, brutal clubbings, Jim Crowism in neighborhood theatres and stores, the police have placed the Negro neighborhood about 22d and Master Sts. under martial law, with streets roped off, and workers ordered to stay indoors.

Last night police roamed the streets, arresting every Negro they could catch, and spreading the vicious rumor that Negroes had broke out in a race riot.

Last night an especially vicious attack on a young Negro woman, added to the long list of provocations and acts of terror, precipitated a mass demonstration of 4,000 workers in protest. Police immediately swooped down on the neighborhood, began driving workers off the street, roped off the neighborhood and arrested seventy-five Negro workers in stores, on the street, as they got off trolley cars on their way home.

The young woman attempted to return a pound of sugar filled with dirt to a store keeper Edward Morton in the neighborhood. He started an argument, and kicked the pregnant woman in the stomach. This morning, Magistrate Eberhard permitted the store keeper to sign his own bail bond, while the woman was seriously ill in her home.

The International Labor Defense and the League of Struggle for Negro Rights have arranged an emergency conference for Negro Rights for Monday night in the neighborhood, and are issuing calls to churches, clubs, mass organizations to send delegates. A mass meeting has been arranged for Saturday night, where the workers will organize to carry on a campaign to force stopping of evictions, increase of relief for all, jobs for Negroes in neighborhood stores, and against the entire program of terror and discrimination against Negroes by police and their agents.

Negro Woman Beaten In Philadelphia Gives Birth Three Days Later

By a Worker Correspondent

PHILADELPHIA, Pa.—I want to tell the actual story of the events which took place around 22 and Master Sts. recently. I visited the Negro woman who had been beaten, and obtained the following facts as to what happened.

Mrs. Suber sent her little adopted child (a girl) to the store for a five cent cake of soap, usually known as "Big Ben" (a large, cheap cake of strong soap, which goes a long way) and one lb. of sugar. Mr. Morton (the grocer) gave the child a cake of P. and G. soap (a four cent cake, sometimes sold three for 10 cents) and ½ lb. of sugar (worth 2½ cents) a total value of 6½ cents. The child gave him 10 cents, all of which he kept. (Mr. Morton should apply for a position in a chain store if he tells them this story he will at once be given a large store to manage.)

Mrs. Suber sent the child back to get the money and go to another store. The grocer refused to give the money back. Mrs. Suber then went to the store and asked for the money. Again and again she asked; again and again he refused to return it.

Realizing that she would never get the money she threw the soap and sugar on the counter. The bag containing the sugar broke, spilling the sugar over the counter. This so angered the grocer that he struck her on the side of the head several times, knocked down and kicked her in the right side of her body near the waist. This young woman was clearly about to have a child shortly. This alone makes it as callous an act as any Fascist might perpetrate.

The young woman went home and returned with her mother. However, because of the quickly gathered crowd the store was already locked up.

Thus we see the tremendous resentment of the Negro masses aroused by this most despicable attack. They gathered from all directions in no time, still passive, but about to burst out (which it did that night). The grocer called the police, who took them, the young woman and the grocer, to the 19 Oxford police station. This took place about ten o'clock in the morning, Wednesday, Aug. 1. The minutes after the arrest a Negro Committeeman had the grocer released. Mrs. Suber was not released until 5:30 that evening.

Three days later a child was born to this young woman who had been beaten. This was a full three weeks before its time. Contrary to reports the child is living. However, it is so weak that it will take the utmost care and medical attention before it is out of danger. Both are under the doctor's care. The child's feet are bruised from the kick the mother received; the mother still bears many bruised marks on the face, neck, the right side of the body. The right side of the face is terribly swollen.

PARTY LIFE

Struggles of Negro Masses in Philadelphia Reviewed

Failure of Party To Act Quickly Resulted in the Growth in Influence of Reformists

Offers Suggestions

The events that took place around 22nd and Master Street on August 1 and the day following is an accumulation of a long campaign of terror, wholesale evictions, discrimination in relief and jim-crowism in the neighborhood.

A few years ago money was collected to build a playground at 26th and Master Sts., the edge of the Negro neighborhood, the beginning of the white. The money was collected in both sections equally but when this playground was built Negro children were not allowed to swim in the swimming pool. Many attempts were made to keep the Negro children out of the playground. The Negro children are forced to go to jim-crow school. All this has helped to arouse the nationalistic feeling among the Negro people in this section of Philadelphia and only needed a spark to cause a revolt against this oppression.

What Happened

On August 1, Mrs. Lucille Suber, 18, who lives at 2215 Master St., purchased a bar of soap and sugar from a grocer at the corner of 22d and Master. Edmond Morton beat and kicked this woman, who was an expectant mother. The news spread around the neighborhood. In a few minutes, thousands of Negro workers gathered.

More than five hundred police immediately swooped down on the neighborhood, attacking the Negro workers and driving them off the street. Negro youths and adults fought back the attacks of the cops. During the night many windows of white store-keepers in the territory were smashed. More than seventy Negro workers were arrested.

The next morning in the Magistrates Court capitalist justice was displayed when the grocer who attacked the girl was held under $500 bail and was permitted to sign his own bail bond, while a Negro youth who had taken part in the struggle was held under $600 bail and was held for court.

From this struggle our Party must draw an important lesson.

First, the importance of our white comrades to work in this territory. About four years ago our Party began to work in this section. Our Party built up a mass influence; the unemployed council was built and led struggles against evictions and hunger. The I. L. D. was able to grow by developing the Scottsboro case into a real campaign. The I. L. D., together with the help of two Y. C. L. comrades, were able to call a school strike of more than 200 children in connection with the Scottsboro case.

With all this mass work carried on, our Party made many mistakes. The most active white comrades were taken out of the section to do other work; the white comrades who remained were not active and only came to unit meetings. Some of our Negro comrades began to manifest nationalistic tendencies against every white comrade in the Paty by raising the question of white chauvinism.

All this time the Negro reformists were not asleep. Reformers of every shade began to come to the section preaching natonalism in order to turn the Negro workers, who were beginning more and more to realize and follow the leadership of the Communists, telling the Negro people that the Communist Party was not sincere in their talk. This nationalism began to take root among the Negro workers, with the help of the police in the evictions.

Comrades Under Influence

Even some of our Party comrades began to fall under this influence, and began to say that nothing can be done as long as the Jews in Strawberry Mansion are running things. Our section committee sensed the danger and immediately called section membership meetings, where the Negro question was discussed clearly, the white chauvinist tendencies in our white comrades were clearly brought forward and shown to them, for

refusing to work in the Negro territory.

After thorough discussions in the units, white comrades were assigned to work in the neighborhood. At the same time the danger of petty bourgeois nationalism of the Negro comrades was also brought forward. Actions were taken against a Negro comrade, Hamilton, who could not be corrected on the theories that he developed on the Negro question, that there was no Negro bourgeoisie, no Negro misleaders, and other such statements against the line of the Eighth Convention Resolution on the Negro question.

But our section committee made the mistake of not checking up on the decisions and seeing that our white comrades carried out the tasks of working in the Negro territory. When the events of August First took place we found ourselves not in position to lead this struggle into the correct channels of struggle against the oppression, and for equal rights of the Negro people, but allowed the Negro workers of our section to play into the hands of the Negro reformist, the nationalist, the white ruling class, to lead them into a struggle that would cause more hatred and jim-crowism, to enable the Negro petty bourgeoisie to obtain the ghetto.

But our Party has immediately reacted to this situation. A meeting of the section was called at once, with over 80 per cent attendance, with representatives of the district, which took up the question of the mass action seriously with our party membership. White comrades were mobilized to go out with the Negro comrades. Thousands of leaflets have been given out calling the Negro workers to join hands with the class-conscious white workers who are willing to fight side by side with the Negro people.

In spite of the weak position of our Party, white and Negro workers who passed out leaflets have found a healthy situation. Workers were anxious to get our leaflets. Workers who had no connection with our Party or our mass organization are coming into our section headquarters, taking out leaflets to distribute among the other workers in the neighborhood. Open-air meetings are being arranged, meetings of workers are being called by Party members and sympathizers, from which we expect to lay the basis to build the L. S. N. R. The struggle of the Negro masses in North Philadelphia is a healthy reaction; it shows the willingness of the Negro people to fight against all forms of oppression.

Who Is To Lead?

The question that we are now confonted with is, who will lead these struggles? Our Party or the reformists? The only assurance that we will lead them is how we give leadership to the everyday struggles against evictions and hunger, for the rights of the Negro people, for the freedom of George Johnson, a militant Negro active in the Unemployed Councils, who defended his home against a constable and his thugs, and was framed up and convicted for this offense.

Linking this up with the freedom of the Scottsboro boys and Angelo Herndon, we will be able to entrench ourselves among the Negro masses, isolate the reformists and nationalists, and build a mass Communist Party that will be able to lead the Negro masses in their fight for full social, political and economic equality.

S. T.

Philadelphia.

Crime - 1934

South Carolina

4 GUARDS ACCUSED IN DEATH OF CONVICT

GREENVILLE, S. C., Jan. 10.—(UP)—Four white chain gang guards were charged with murder in the death of a negro convict in indictments returned by the Greenville county grand jury today.

The indictment accused Guards H. P. Dill, W. M. Forrester, C. B. Baker and Julius Richardson with beating and choking Roy Hudson, negro convict, at the Tigerville prison camp in this county on last October 25. Hudson died a few hours after the alleged beating.

Batesburg, S. C., News
January 4, 1934

AN EXCRESCENCE THAT IS HARD TO ERADICATE

As a sample of clinging to the folly of a bad habit, the governor's sway in the pardoning of criminals is in a class to itself. We are on the eve of the long legislative grind. Instead of interminable twaddle about liquor, why not do something worthwhile to remedy this injustice and nuisance. The average governor, like the average president of the United States is, for several reasons usually a mediocre. Yet an absolete and idiotic custom clothes him with more power than witnesses, jurors, and judges combined. It is sufficiently difficult to convict, where there is some influence, but it is sometimes done, after sacrifices, heavy expense, and the rarity of a strong and fearless jury.

Any error is usually on the side of mercy, not justice. Should that develop later, as it has done in extreme and unusual cases, it could be easily provided for. That jurors are finally prevailed upon to sign petitions for pardons, is not due, generally, to a change of feelings but of weakness. They are run down, one by one, and prevailed upon to recommend a pardon. They can't, individually, withstand the pressure, when, besides, time's mellowing influence adds to the game. A governor, not blessed with any great stamina of opinion or stiff backbone, is soon overcome by friends and, often paid lawyers, to manipulate the cards. He really knows little or nothing, and often cares less, about all the details of the case. We know of a lawyer who boasted that he made it a rule every Christmas to pick out a convict, in whom he was interested, and got the governor to issue a pardon. Sad commentary on justice. Then we throw conniptious fits over a lynching. Governors should be stripped of this power. It has done, and is now doing under Blackwood, untold harm.—Calhoun Times.

CHARLOTTE, N. C. NEWS

MAR 30 1934

A BITTER ATTACK ON THE NEGRO MINISTERS WHICH WE PUBLISH RELUCTANTLY.

Sirs:

Go preach my gospel, saith the Lord. Does He say where, when and how? No! I'm referring to the Ministers Alliance of the Negro race of Charlotte, asking the mayor to check the crime wave that is sweeping the city.

To my mind, they themselves could do far more than the city fathers could if the bigger portion of the ministers would preach Christ in his beauty and after preaching it live it. Stop lying to the people; tell them the truth and nothing but the truth. You would see a great change.

There are few ministers today of the old school. You could depend on them; they were true to their trust. To my mind the ministers of today have too much education and not enough Christianity to go in the dives and dens in this beautiful city and compel men and women to seek God as their Saviour and guide through life. The crime wave of this city is not all done by people of the underworld alone, who have never known of God. Some of it is done by those who have turned back to the ways of the world. Some of them it wasn't in them to do the thing that was right. Some of them have seen something in their leader unbecoming to a leader.

Take the man called Bishop Grace. I'm utterly opposed to his leadership yet as a whole he has done more for the Negro race than all the ministers in the city. They could have had the same following; no they prefer knocking the other brother. We are told what good things come to those that wait. The Negro Ministers Alliance is waiting for the other man to start the ball rolling. They are waiting for the police to knock and beat the Negroes up, as of old and then tell them they did right. I'm utterly surprised at the step they have taken. Now what I say may hurt but I hope it don't last. The preachers can't have a revival in this city. I mean an old-time revival. Why they themselves are not right. The preachers are dead, the choirs are dead, the members are dead. You can't hear an amen in church. Now what is the matter with the Negro crime wave in this beautiful city sometimes a man was sent but not chosen. The ministers of the Negro race are money-crazed. They are not preaching for the salvation of souls but preaching for fad and fancy. The dives in Charlotte pay tax or license. The police have no special business in there unless sent for. But the preacher could go (that is, if his life is clean).

They should know the way of the Cross leads home not wait from one Sunday until it's time to take collection 'till next Sunday before they are seen or heard again. To my mind if they get themselves right first then start up a citywide campaign. Open up a nationwide revival, leave off money matters there will be no need of more police protection.

They too must remember that someone is always watching them and marking what they do to see if their daily walk is honest, true and good.

SADIE S. FOSTER.

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CHARLOTTE, N. C NEWS

JUN 27 1934

Somehow we are sorry for Ike Station, Raleigh Negro who draws 30 days in jail for stealing a couple of pairs of over-size bloomers valued at 98 cents. There is so little romance left hereabouts with the weather what it is that Ike seems rather to be pitied than censured.

Dillon, S. C., Herald
May 10, 1934

Crime and the "Melting Pot"

SOUTH Carolinians are inclined to view with horror the gangster murders in New York and Chicago, but we should remove the mote from our own eyes before passing judgment on these cities. According to Dr. Croft Williams, head of the sociology department of the University of South Carolina, this state "leads New York and Chicago in the number of homicides on the basis of population."

This is a severe indictment. We like to boast of the fact that the highest percentage of pure Anglo-Saxon blood in the United States is to be found in South Carolina, and we have deluded ourselves into believing that we were a superior people because we inherited from our northern European ancestors a liberal share of those law-abiding instincts which have been a racial characteristic of the Angles and Saxons for many generations. The evidence is against us, and in the language of the man of the street, we have "another think coming to us."

"The increase in crime is more rapid with the whites than with the Negroes," continues Dr. Croft. "In 1927 55 percent of the crimes, not including prohibition violations, were by Negroes, but in 1933 the Negroes were responsible for only 47 percent."

This rather startling statement leads to the presumption that the high percentage of crime among the whites is due to lax enforcement of the law and the failure of the court machinery to function properly in the fair and impartial administration of justice. If this assumption is correct it is evident that the Negro stands in greater fear of the law and is therefore more law-abiding.

The pardoning power is one of the most dangerous provisions in the constitution of this or any of the other states. This protective measure was given a place in the fundamental law of the land when civilization was less complex and our social order was being established on more or less experimental lines. It belongs to an age that has faded into the dim and distant past.

Time and again The HERALD has said that the pardoning power is surrounded by so many dangers that it should be taken out of the hands of one man. The responsibility is too great to rest on the shoulders of an individual.

A pardon which involves a capital offense should not be granted except upon the recommendation of the supreme court after

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Crime and the "Melting Pot"

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This is a severe indictment. We like to boast of the fact that the highest percentage of pure Anglo-Saxon blood in the United States is to be found in South Carolina, and we have deluded ourselves into believing that we were a superior people because we inherited from our northern European ancestors a liberal share of those law-abiding instincts which have been a racial characteristic of the Angles and Saxons for many generations. The evidence is against us, and in the language of the man of the street, we have "another think coming to us."

"The increase in crime is more rapid with the whites than with the Negroes," continues Dr. Croft. "In 1927 55 percent of the crimes, not including prohibition violations, were by Negroes, but in 1933 the Negroes were responsible for only 47 percent."

This rather startling statement leads to the presumption that the high percentage of crime among the whites is due to lax enforcement of the law and the failure of the court machinery to function properly in the fair and impartial administration of justice. If this assumption is correct it is evident that the Negro stands in greater fear of the law and is therefore more law-abiding.

The pardoning power is one of the most dangerous provisions in the constitution of this or any of the other states. This protective measure was given a place in the fundamental law of the land when civilization was less complex and our social order was being established on more or less experimental lines. It belongs to an age that has faded into the dim and distant past.

Time and again The HERALD has said that the pardoning power is surrounded by so many dangers that it should be taken out of the hands of one man. The responsibility is too great to rest on the shoulders of an individual.

A pardon which involves a capital offense should not be granted except upon the recommendation of the supreme court after several generations.

tal cases cannot be reformed it would probably be a wise plan to transfer to South Carolina some of the "melting pots" which have been boiling in New York and Chicago for

Chain Gang In S.C. Only For Negroes

Condemned to 30 Days Of Hell for Selling Workers' Papers

By a Worker Correspondent

COLUMBIA, S. C.—I am just off the chain gang. I was put there for selling workers' papers and the Labor Defender. The bosses gave me 30 days here in South Carolina. This is some of the white terror that we workers, Negro and white, get under the New Deal here in Columbia. At the present time the chain gang is filled with Negro workers all over S. C.

At 4:30 a.m. all must be up. At 5 a.m. they must be eating bread and grits and gravy. At 5:30 all must be on the trucks to go to the roads, to work like hell until 1 p.m. Then all must get dinner, something that is not good for dogs to eat. At this point one rests one hour after this, and all must work until 7 p.m. like hell. At this point all are brought back to camp, and eat supper. You only get cornmeal bread and black molasses. Then the bosses chain all the poor Negroes to their beds at night. One cannot get up at night.

This is what the Negroes now get in South Carolina. They don't put white men on the chain gang any more in Columbia. The bosses put all the white men in the State Prison. They tell the white men that they are a little better than the "god damn niggers."

We work all day on the chain gang, and at night we must sleep in the same clothes that we worked in all day. They only change clothes once a week, on Saturday evening about 3:30 p.m.

They march all the Negroes to the creek to take a wash. Comrades, this is pure hell here in S. C. No one gets this treatment except Negroes. They have ruined my health.

The poor Negro prisoners have to work in water in the winter time. Sometimes is is so deep many of them get sick and die, and that is all to it. We hope the day will come when all this will be cut out, but only when a farmers' and workers' government is set up in the U. S. A.

Only a farmers' and workers' government will put the Negroes and white workers in the right place here in the U. S. A.

COLUMBIA, S. C.
RECORD

APR 30 1934

SOUTH CAROLINA'S NEED.

"South Carolina," observes the Charleston News and Courier, "is on the nation's crime map. There is not a day that crimes of violence are not reported from one or more of its counties. Murders in the state greatly increased last year."

This is one thing, said by The News and Courier, that can be demonstrated. The records prove it.

South Carolina for some years has been leading both New York and Chicago in the number of homicides per capita. It still does. Last year there were 15.3 homicides per 100,000 of population in South Carolina as compared with 8.27 in New York and 14.14 for Chicago.

"Crime conditions," The News and Courier also correctly observes, "could become much worse than they are—in a few weeks or months—in South Carolina. Criminals driven from one state where honest people are aroused against them will take refuge in another where the governor is tolerant of them, will pardon them, be merciful to them."

Crime conditions in South Carolina are in fact already becoming worse. The number of homicides in the state increased last year. "Crimes against property in this state," Dr. G. Croft Williams, of the University of South Carolina, a student of crime and its causes in South Carolina, notes in an interview published today, "are increasing. In 1927 there were 679 convictions for stealing and in 1933 1,172, showing a percentage of increase far exceeding that of the population . . . In 1927 1,336 persons were convicted of crimes other than violations of the prohibition law whereas in 1933 there were 1,738 such convictions."

And perhaps even more significant are two other facts, noted by Dr. Williams. Crime is increasing among youths and among the whites. "More of the younger men are becoming criminals," he points out. "The increase in crime is more rapid with the whites than with the negroes." In 1927 28 per cent of the crimes were committed by men between the ages of 25 and 34 and 15 per cent by men between 21 and 24 while in 1933 only 24 per cent of those convicted were from 25 to 34 and 20 per cent between 21 and 24 years old. And in 1927 55 per cent of the crimes, not including violations of the prohibition law, were committed by negroes; in 1933 negroes were responsible for only 47 per cent of such crimes.

"The South Carolinians will elect a governor this year," The News and Courier points out. "His principal duty will be to execute the laws, to suppress crime. The governor cannot lessen or increase taxes. He can give advice—which legislatures rarely, very rarely take. That is the history of the legislatures . . .

"The principal qualifications of a governor in these times are absolute honesty, absolute courage. The people need a governor of stainless record . . .

"The South Carolinians need in these times a governor who is strong in body and in mind, a man of vigor, energy, firmness.

"They need for governor a man of scrupulous integrity whom they can trust whether they like him or hate him.

"They need a governor who will uphold the courts, the verdicts of honest juries, the sentences of honest courts, a governor so bent on enforcing the laws that all felons will fear and curse him—a governor who will make the state of South Carolina a resonably safe place for themselves, their wives, their little children, to live in.

"They will need him very greatly in the next four years."

In law enforcement governors are important. The governor can do something about enforcing the laws and upholding the courts and juries; he can if so minded do things to undermine law enforcement and to cancel and annul the work of juries and judges. South Carolina has had experience in both.

SPARTANBURG, S. C.
JOURNAL

OCT 19 1934

Whites Predominate

The discerning Greenwood Index-Journal comments on the fact that is anything but creditable to the white race in that a glance at the roll of the inmate of the state penitentiary shows an increasing number of white inmates and a decreasing number of colored prisoners. White men appear on county chain gangs in greater numbers than ever before. One of the most discouraging signs of the times in cities and municipalities, especially in Spartanburg, is to see in the trucks carrying prisoners to and fro so many youthful faces—white boys with fine features and splendid upright bodies, wearing stripes, with a bravado, don't care expression of countenance. Almost any day you can see them on the streeets, and many a parent has viewed the sight with sorrow

Crime – 1934

Tennessee

Chattanooga, Tenn. News
March 12, 1934

A Small Penalty

HIGH automobile insurance rates in Chattanooga will not come down until reckless driving is curbed. Memphis this week had a case where a Negro pleaded guilty to driving while drunk. He was given the maximum sentence under the new State code, $10 and thirty days in jail. Under the old State code, the sentence might have been six months in jail.

Why the new code is so merciful to drunken drivers, who menace life and property, we do not know. But we would like to see a few instances where even the smaller sentence is imposed on our reckless drivers

POLICE BRUTALITY.

The crowd that usually lurks about the corner of Vine and Central witnessed the horrible spectacle of a 250-pound policeman wielding his club across the head of a spare-made young Negro woman in such a fashion as to lay the scalp open in two places more than two inches long. The two terrible blows from the heavy club sent blood spurting into the air as though it was from a geyser and covered the face of the unarmed and helpless girl until she appeared as an Indian that had covered his face with red paint. Not content with such savage brutality, this same 250 - pounder pulled his pistol of large calibre and fired a bullet into the thigh of the girl that missed her thigh bone by a quarter of an inch.

Lost Tennessee News 7-12-34

This latest outburst of police brutality occurred on the night of July 4th—Independence Day, and mind you, it was not the act of a white policeman, but such unwarranted and terrible brutality was enacted by a Negro policeman with a Negro girl as his victim.

Spectators state that the girl was boisterous, but positively declare that she was unarmed. John Moffett, the officer may charge that he was defending himself against attack, but was it necessary to bring his big gun into play? If the victim of this brutal treatment had been a man of his own size, there would have been no justification for such beating and shooting as was employed.

Knoxville Journal

Too, this is the second time within the past few months that this same officer has shot a Negro, his other victim being a boy who is said to have been fleeing from arrest over some frivolous offense. This is the same officer who failed to arrest a big, notorious white rum runner at the same spot where the young Negro woman was savagely beaten by him, after the rum-runner had threatened to brain a little Negro girl—his paramour, with an axe. This officer, along with another Negro officer ordered the patrol wagon and sent the girl to jail while the rum-runner went free.

Had this same conduct toward a Negro woman been engaged in by a white policeman, there would have been a storm of protest registered that would have resounded from New York to New Orleans. There is positively no more excuse for such conduct by a Negro officer than on the part of any other race men.

Criminal action has been instituted by the young woman and she expresses determination to see that her brutal assailant is punished as the law prescribes. Then, charges will be filed with Commissioner Anderson, of the police department, in due time as well as filing a suit for damages caused by the injuries and suffering the young woman is enduring.

Police brutality is being discouraged by people in authority in every section of our land, and it is extremely unfortunate that this member of the racial group, whose members are more often the victims of such brutality, should engage in such conduct.

AGENTS SEIZE TRIO IN RAID ON STILL

Commercial Appeal

Negroes Held Under $1,000 Bond by U. S.

9-12-34

Three prisoners, a distillery and a number of loaded shotguns and rifles were taken by internal revenue agents in a raid early yesterday morning in Cold Creek Bottoms, eight miles west of Henning, Tenn.

Memphis

The prisoners, Frank McKee, Ed Lewis and Robert Springfield, negroes, were taken before Commissioner Brenner and held under $1,000 bond each on charges of violating the Internal Revenue Act.

The raid was made shortly after midnight under the direction of Investigator in Charge E. M. Corbett, assisted by Agents Aubrey Clapp and Tom Skaggs and Deputy U. S. Marshal Elman Jester. The raiders seized:

A 750-gallon copper still complete and in operation with a capacity of 225 gallons daily; 50 gallons of whisky, 8,000 gallons of mash, 14 1,000 gallon concrete, galvanized steel and wooden vats, a high-powered rifle, an automatic shotgun and a single-barrel shotgun, all loaded.

Crime-1934

Tennessee.

Morristown, Tenn., Gazette
January 15, 1934

$80 VS. $42,000

Petty thievery is a dangerous thing in Rutherford county, but wholesale thievery apparently is "merely yielding to temptation" judging from what has happened to two well known Murfreesboro men who dipped their hands in the bank's coffers where they were employed and withdrew some $42,000 in other people's money.

The latest of these defalcations has just been disclosed, and it has been fully 48 hours since it has become general knowledge yet no action has been taken to punish the guilty party.

It has been nearly two years since the first defalcation became public and although a plea of guilty has been entered, not a day has been served.

These two cases are in striking contrast to one which occurred about the time of the first embezzlement. A negro janitor was caught after he had stolen $80 from the First National Bank. The money was recovered but tne negro was tried, found guilty and sentenced to serve 11 months and 29 days on the county road. He was in jail within 30 minutes after the theft was discovered.

He served his time and two weeks after his release he died.

Unless the memory of the justice of the peace issuing the warrant for the negro has failed him, the man who admitted taking $30,000 of the bank's money was the person who signed the warrant for the negro's arrest.

The bank is not expected to prosecute in the case that was revealed yesterday. The loss was covered by a surety bond and it will not lose a penny.

Not a cent was lost when the negro stole $80 but he went to the road just the same, as society must have its due, especially if it's in the case of a poor, defenseless negro.

Proper authorities seem to overlook cases of this nature where vast sums are stolen but do their duty with unfailing regularity when petty thievery is brought to light.

Only a few months ago. three boys were given 33 days apiece for stealing two loaves of bread, while shortly before that two negroes were given penitentiary terms because they broke into a box car in search of cigarettes. They didn't even so much as get the cigarettes.

It's all according to how much one owes society and who he is as to what methods, if any, are taken to make him pay.—Murfreesboro News Journal.

Chattanooga, Tenn. News
February 9, 1934

TWO EAST TENNESSEE NEGROES GO TO CHAIR

James Swann and Joe Emery are Electrocuted in Nashville

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Shortly after 5 a. m., the two, James Swann, 20, of Jefferson County, and Joe Emory, 39, of Knoxvillle, died in the electric chair.

Swann was convicted of killing Abbie Rainwater, 49-year-old white woman, after waylaying her, robbing her of fruit and candy and attacking her. Her death, in December, 1932, resulted from a broken neck.

Emory shot his wife to death Oct. 31, 1932, on the doorstep of W. P. Haynes, near Knoxville, where she was employed.

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Their approach to death was in sharp contrast with the demeanor of official witnesses who crowded into the tiny execution chamber of the State penitentiary here. The witnesses were pale and trembling.

The procession of death began at 12:13 a.m. Bennie Foster, 21, wearing the white shirt and white trousers the State of Alabama provides its condemned men, stepped into chamber and sat in the electric chair.

"Gen'num," he said, smiling, "an innocent man going to glory."

Two shocks and Foster was dead.

John Thompson, 38, came in, light-footed and sure of himself. He, too, smiled. Two shocks were enough for him.

Next came Hardie White, 32. He didn't seem to mind either and in a matter-of-fact voice he addressed the assemblage from the lethal chair.

"Ah wants you all tuh know ahs not guilty! Just send dat news back tuh Mobile. Dat's all ah asks."

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Solomon Roper, 24, was last.

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Roper was given two shocks. A strap end, loose on his chest, was seen to move. A doctor thought he still was breathing and he was given a third shock.

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Arkansas Slayer Dies.

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Another Negro, Luther Dean Jackson, sentenced to death in the hold-up slaying of Phillip Winedecker, North Little Rock grocer, and scheduled to die with Butler today, received a sixty-day stay of execution from Gov. Futrell late last night.

ALL GUILTY BUT ONLY THE BLACK DIE

(An Editorial)

Daily News-Journal, Murfreesboro, Tenn., Wednesday April, 4 1934.

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Confessions were obtained and there was no doubt as to the guilt of the three young white men who met the policeman and whom he attempted to abide by his sworn duty, he was shot down like a dog.

However, before he was slain he managed to send a fatal slug into one of the bandit gang. The state was expected to finish the job when the three were placed on trial but for some unknown reason, mercy was shown them and they were given life imprisonment.

As desperate as this group is, before long they will probably make a break for freedom and more blood will be shed. If not, sympathy will be aroused by those who hate "to see such young boys suffer" and a pardon or parole is likely.

Although the state permits these white boys to live, three negroes accused of rape, paid the supreme penalty this morning in the electric chair. May be this chair is being saved only for those who happened to be born black. If the slayers of Patrolman Sanders had been black instead of white, they too, would have walked the last mile this morning.

But as it is they are alive—alive to be fed and clothed and maybe forgiven by a state which saw one of its own protectors murdered in cold blood. There was no reason for mercy being shown this trio. For, if the chair is to be saved only for rapists and killers who are black, then it would be a thousand times better if it were thrown away.

Capital punishment is for the protection of society. Yet it uses its effectiveness if used only in special cases. If the killing of Patrolman Sanders was not a capital offense, then Tennessee's electric chair has been grossly misused in the years it has been in service.

Crime - 1934

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NEGROES FIGHT CRIME

Organization Opens Campaign Sunday With Mass-Meeting

A city-wide campaign against crime among negroes will be sponsored by the "Crime Reducing Organization," beginning with a mass-meeting at its headquarters, Springdale and Brown, Sunday from 9 a.m. until 10 p.m.

Guest speakers will include Lieut. J. L. Penick, of the Chamber of Commerce safety division; Mr. and Mrs. J. W. McCall and Mrs. M. H. Stockwell, of the First Presbyterian Church.

The Rev. G. F. Owens is chairman.

CRIME IN TEXAS' METROPOLIS

HOUSTON—Several persons met untimely deaths this week in Houston in murder or homicide cases. Joseh Mitchell, 3007 Clinton, who was single, died April 29th from stab wounds in the abdomen. He was 41 years of age. He was buried May 1.

Frank McKnight, 29, of Humble died at a local hospital May 1, from a bullet wound. He had been shot during the course of a fight and rushed to Houston in an attempt to save his life.

Miss Lillian Dehon, 20 years of age, died April 29, after making a gallant fight for her life. This very charming young woman was shot in the neck about two weeks ago, the bullet injuring her spinal column. She was a native of Lake Charles, La., and the body was returned there for burial May 2.

Thefts included a radio (auto) wnich was taken from the car of C. E. White, 4415 New Orleans, while the car stood in the 400 block on Milam street, Saturday afternoon.

Ed Willford, 2912 Clinton Drive reported that someone had bored several holes in the floor of his home to gain entrance to his front room, without success. Except that he has to buy a new floor, there was no loss.

Two tires were stolen from the car of William Coleman, 1513 Schwartz while it was parked in the driveway at his home.

"NO SENTIMENT AGAINST" OFFICER

The writer, in registering protest with Commissioner Anderson of the local police department, to the brutal treatment accorded a young Negro woman by one of his policemen, was confronted with the statement by the commissioner,

> "I've made investigation 'down there' (meaning in the section where Negroes live) and I don't find any sentiment against the officer."

In discussing the situation with a prominent Negro leader, the statement of the commissioner was referred to, and this leader remarked:

> "It is very likely that there is an absence of protest on the part of the Negroes, and this deplorable situation like others that I have noticed, causes thoughtful persons to wonder as to just what kind of blood Knoxville Negroes are made of."
>
> Said the leader: "Just recently we witnessed a court room crowded with Negroes who heard white men take the witness stand and introduce arguments endeavoring to prove that Negro women are of inferior moral calibre, and heard these very same Negroes applaud and give sanction to such tactics. It is little surprising that there is an absence of determined protest when a policeman beats and shoots a young Negro woman and other Negroes are shot, killed and otherwise maltreated."

With such a statement, we are bound to agree. In the state of Arkansas a young white woman felon was in the act of escaping prison. She had stolen the guard's pistol and was known to be armed. She had left a note declaring that she would not be taken alive. Even in the face of such danger, white men and women did not believe that a man was justified in slaying her, even in defense of his life, and as the result, when she was killed protests poured in to the governor by the thousands, from all parts of the nation, when news reports told of the guard firing a volley of bullets into the young woman's body.

On the other hand, right here in our community, a young black woman is beaten into insensibility and then shot—not by a WHITE POLICEMAN, but by a policeman of the same color of that girl, and the comment of his superior is—"I HAVE INVESTIGATED AND FIND NO SENTIMENT 'DOWN THERE' AGAINST THE OFFICER."

Is there any wonder that poor, innocent and defenseless Negro women as well as men are killed and wounded in all sections of the land, almost daily. The question that comes to mind is, is the Negro just too cowardly to register open protest to such mistreatment, or is he wholly indifferent as to the welfare of others so long as he isn't the party to suffer.

The situation indicates one of thorough selfishness and will eventually subject the entire racial group to maltreatment and embarrassments that will prove unbearable. There might be an absence of sentiment as concerns the beating and shooting of that Negro young woman and such may be based on the fact that she is a bad character, but she is human after all and if such brutal treatment is accorded her without protest from leaders who are interested in humanity, it will only be a matter of time until some of the so-called higher-ups will be subjected to the same kind of treatment and then it will be that these selfish individuals who sit quietly by and refuse to raise their voices will be heard to yell out like a hyena in the forest.

In the meantime the attitude of Commissioner Anderson in this connection does not set well in the least with thoughtful citizens and is cause for surprise among those who have heretofore referred to his high type of administration. We reiterate, any officer who finds it necessary in his own opinion to fire a bullet into the body of an unarmed man, to say nothing of a slender woman, should be dismissed from the duties of an officer. Shooting and cutting among the criminal element will never be curbed until officers of the law exhibit a higher regard for human life and safety.

NEGROES FIGHT CRIME

Organization Opens Campaign Sunday With Mass-Meeting

A city-wide campaign against crime among negroes will be sponsored by the "Crime Reducing Organization," beginning with a mass-meeting at its headquarters, Springdale and Brown, Sunday from 9 a.m. until 10 p.m.

Guest speakers will include Lieut. J. L. Penick, of the Chamber of Commerce safety division; Mr. and Mrs. J. W. McCall and Mrs. M. H. Stockwell, of the First Presbyterian Church.

The Rev. G. F. Owens is chairman.

CRIME IN TEXAS' METROPOLIS

HOUSTON—Several persons met untimely deaths this week in Houston in murder or homicide cases. Joseh Mitchell, 3007 Clinton, who was single, died April 29th from stab wounds in the abdomen. He was 41 years of age. He was buried May 1.

Frank McKnight, 29, of Humble, died at a local hospital May 1, from a bullet wound. He had been shot during the course of a fight and rushed to Houston in an attempt to save his life.

Miss Lillian Dehon, 20 years of age, died April 29, after making a gallant fight for her life. This very charming young woman was shot in the neck about two weeks ago, the bullet injuring her spinal column. She was a native of Lake Charles, La., and the body was returned there for burial May 2.

Thefts included a radio (auto) wnich was taken from the car of C. E. White, 4415 New Orleans, while the car stood in the 400 block on Milam street, Saturday afternoon.

Ed Willford, 2912 Clinton Drive reported that someone had bored several holes in the floor of his home to gain entrance to his front room, without success. Except that he has to buy a new floor, there was no loss.

Two tires were stolen from the car of William Coleman, 1513 Schwartz while it was parked in the driveway at his home.

"NO SENTIMENT AGAINST" OFFICER

East Tennessee News

The writer, in registering protest with Commissioner Anderson of the local police department, to the brutal treatment accorded a young Negro woman by one of his policemen, was confronted with the statement by the commissioner,

> **"I've made investigation 'down there' (meaning in the section where Negroes live) and I don't find any sentiment against the officer."** 7-19-34

In discussing the situation with a prominent Negro leader, the statement of the commissioner was referred to, and this leader remarked: Knoxville, Tenn.

> **"It is very likely that there is an absence of protest on the part of the Negroes, and this deplorable situation like others that I have noticed, causes thoughtful persons to wonder as to just what kind of blood Knoxville Negroes are made of."**
>
> **Said the leader: "Just recently we witnessed a court room crowded with Negroes who heard white men take the witness stand and introduce arguments endeavoring to prove that Negro women are of inferior moral calibre, and heard these very same Negroes applaud and give sanction to such tactics. It is little surprising that there is an absence of determined protest when a policeman beats and shoots a young Negro woman and other Negroes are shot, killed and otherwise maltreated."**

With such a statement, we are bound to agree. In the state of Arkansas a young white woman felon was in the act of escaping prison. She had stolen the guard's pistol and was known to be armed. She had left a note declaring that she would not be taken alive. Even in the face of such danger, white men and women did not believe that a man was justified in slaying her, even in defense of his life, and as the result, when she was killed protests poured in to the governor by the thousands, from all parts of the nation, when news reports told of the guard firing a volley of bullets into the young woman's body.

On the other hand, right here in our community, a young black woman is beaten into insensibility and then shot—not by a WHITE POLICEMAN, but by a policeman of the same color of that girl, and the comment of his superior is— "I HAVE INVESTIGATED AND FIND NO SENTIMENT 'DOWN THERE' AGAINST THE OFFICER."

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Crime - 1934

Texas.

NEGROES' DISREGARD FOR LIFE

This community was shocked Wednesday of last week when the report was circulated that a supposedly love-crazed Negro had killed his youthful sweetheart on a crowded San Felipe street car and then wounded two innocent passengers.

One of the wounded passengers, Scott Arnold, was one of Houston's most highly respected, peaceable and reputable citizens and stood high among both races here; yet because of the light esteem which so many of our people place upon human life. this unfortunate man now lies beneath the sod and his family is grief-stricken and bereft of a provider.

Still another innocent male passenger was shot by the enraged wielder of the pistol and a woman sustained serious injuries when she dove through one of the windows of the trolley car.

6-30-34

Before the ink was dry on the paper chronicling this awful tragedy, West Dallas and Heiner was the scene of another such shooting, when some unknown Negro yanked out his gat Saturday midnight and fired promiscuously at another member of his race, injuring both his intended victim and two innocent bystanders—colored woman and man—whose conditions are said to be precarious as a result of the wounds.

Unlike the man who did the shooting and killing on the street car, the West Dallas-Heiner assailant made his escape and had not been apprehended Tuesday when this editorial was written.

Houston, Texas

Men are going to have differences and they are going to fight and kill one another as long as time exists, but innocent people should not be shot and killed wantonly by these would-be desperadoes who would not be so quick on the draw if they knew that their opponents were armed and ready to meet leaden slugs with leaden slugs.

The sad part of the whole affair is that a man who is killed accidentally in such a car or street shooting scrape is just as dead as if he had been killed intentionally, and no one knows when he or she is safe from the bullets and missiles of such temporarily crazed gunmen.

Not only do Negroes place too light a value upon human life, but it seems to be an easy matter for them not only to purchase firearms, but to carry them on their person in violation of the criminal codes of this state.

As long as men can go about the streets armed to the teeth and ready to shoot at the least provocation, or without procation; as long as juries mete out light sentences to Negroes for the wanton murder of members of their race; as long as public opinion remains unconcerned, just so long will the lives of all citizens, white and colored, remain in danger as they go peaceably about their own affairs.

As The Defender has pointed out so often, criminality and lawlessness can not be confined in any one channel or upon any one racial group; for if Negroes can shoot and kill each other with impunity, they will soon become embolden and break over racial barriers, and then trouble of a very serious and calamitous nature will ensue.

Something must be done in Houston to teach Negroes to have more regard for human life and more respect for law and order. or else having sown to the wind we are going to reap the whirlwind and terrible and catastrophic!

Crime-1934

Virginia

RICHMOND, VA.
TIMES DISPATCH

APR 30 19

Police Wrongs, Seek Redress

Meeting, Sponsored by Labor Defense, to Send Resolutions to Mayor

An audience of about 200 Negroes sat silent through a recital of alleged "police outrages" committed against the Negro population of Richmond at a mass meeting in True Reformers' Hall, 608 North Second Street, yesterday afternoon, then adopted resolutions calling upon Mayor Bright to appoint a disinterested citizens' committee to investigate a list of specific cases in which charges are preferred against the police.

The promise was made that evidence to substantiate the charges in each case will be submitted to the investigating committee. Copies of the resolutions will be sent to the mayor and chief of police, it was said.

The meeting was sponsored by the Richmond Council of the International Labor Defense, associated with the Communist party, but it was apparent a majority of the crowd was not Communistic but attracted by the promise made in published notices that action would be taken with reference to grievances of Negro citizens against the local police force.

Frank Berry, said to be a Communist sympathizer, presided and introduced the speakers, who, like himself, were Negroes. Following adoption of the resolutions the meeting was turned into a session of Communist instruction, with a white man, an organizer of the Communists, who spoke with a foreign accent, as the speaker.

Samuel Kelly, Negro, the first speaker at the mass meeting, told the crowd that "this meeting is the beginning of a fight to be carried on in Richmond by the International Labor Defense to obtain justice and humane treatment for Negroes." He recited numerous instances of alleged brutal treatment of Negroes by the police.

Conspicuously presented were these alleged specific cases which, he said had been investigated and which were ready for presentation before any unbiased investigation body the mayor might see fit to appoint:

Case of a Negro boy so terrified by what he had seen of the police handling of men and women of his race that when he saw a policeman approaching him, about a year ago, he became panic stricken and jumped off the city dock. In this case there were said to be eyewitnesses, a white man and a Negro. When the eyewitnesses were asked to testify to what they were requested to have seen they refused, fearing, it was said, the wrath of the officers upon themselves.

Case of a colored woman named Milton. When she was arrested at her home the arresting officer noticed a bulge in her dress and when told by the woman that she kept her money there the policeman was declared to have ripped open the dress and confiscated it temporarily.

Cites Fatal Shooting

Case of a Negro boy reported recently shot by an officer. The boy died later in a hospital of his wound. Police are said to have claimed that before the boy died he admitted he was at fault and that the policeman had a right to fire at him.

Case of a Negro youth who ignored a policeman's order to stop as he walked on Broad Street at midnight. The police claimed the boy had broken into Lavine's store and stolen a dress model. He was taken to jail where he remains, it was said, for lack of evidence to convict him.

Case of Negro boy shot by an officer at Adams and Clay streets April 24.

John W. Hewlett, Negro, president of the Manhattan Cab Company, recited his own experience. After returning from his Masonic Lodge meeting April 9, he said, he found several calls for cab service at his office. He took out some passengers. At a house where he delivered them he found police who arrested the whole party, including himself. At the police station where he was taken in the patrol he asserted he was beaten with a blackjack, locked up and refused permission to communicate with anybody. Later all of the party except himself were released on payment of $1 for bail. He was told he must pay a fine. He refused. Later he was released when he paid $1 for a bail bond. He endeavored to get a warrant for the policemen who had beaten him up, Hewlett stated, but was refused. He then submitted his case to the Labor Defense.

Lawyer Volunteers Aid

Following the recital of the list of cases J. Byron Hopkins, Negro lawyer, employed by the Labor Defense, spoke. He volunteered to defend any case of police terrorism which may be brought to him free of charge. He denounced "brutal treatment of Negroes by the police" and what he termed the "bail bond racket, practiced consistently and persistently at the expense of Negroes who fall into the hands of the police." He cited a specific case of eighty-seven Negroes who, he said, were illegally arrested at a hall when one Negro, who was denied admittance, got into an altercation and shot the doortender. All in the hall, he said, were arrested, brought to the police station and required to pay $1 each for bail.

"You can stop all this if you Negroes will stand together and demand justice," he said. "Court, police and public officials fear public opinion. They are controlled in their actions by public opinion. You are part of the public. If you will get together and stand together for your rights you will get decent treatment."

Thomas H. Stone, identified with the Communist demonstrations in Richmond, and several other white men were in the hall at the opening of the mass meeting, but did not remain to see the resolutions adopted.

RICHMOND, VA.
TIMES DISPATCH

MAY 1 1934

Why Not Investigate?

MAYOR BRIGHT is quoted as saying that he will ignore the resolution adopted Sunday by a meeting of Negroes alleging mistreatment of members of the race by Richmond police.

It is true that the organization under whose auspices the assembly was held is affiliated with the Communist party, but should this fact be permitted to neutralize the action taken?

Regardless of the political adherence of these Negroes, they are still citizens and, as such, have certain rights. It is a cherished American principle that an individual may believe anything that appeals to his intelligence and he will be protected in that right.

Whether police in Richmond have mistreated Negroes is a question upon which THE TIMES-DISPATCH is not informed. If, however, there is any evidence that such is the case, the matter should be inquired into and the guilty parties, if any, should be punished.

The Negroes who attended the Sunday mass meeting ask simply that the charges they prefer be investigated by a committee of citizens. It seems to us that the mayor cannot do less than to grant this request. He surely does not wish Negro citizens to be subjected to injustices and indignities at the hands of city agents.

Youths Get Lengthy Penitentiary Sentences For Bandit Hold-ups

Sentences ranging from eight to sixteen years in the Virginia Penitentiary were meted out to three youthful would-be bandits by Judge John J. Ingram in Hustings Court Monday morning. The boys were Walter Brown, Jr., 17, who was the alleged leader of the gang, and who was sentenced to sixteen years in the pen; Albert Hooper, 18, who received twelve years; and Harvey Brown, 18, who was sentenced to eight years.

Boys Plead Guilty

John Mosby, a fourth member of the gang, is held in custody by officials of the Juvenile Court and his case will be disposed of by Judge Ricks on December 21. Upon arraignment of the boys on the first indictment—that for robbing Charlie Delpapa, storekeeper at 327 N. Second Street—Walter Brown and Hooper plead guilty, and Harvey Brown plead not guilty. When the evidence seemed to indicate that Harvey Brown did not participate in the Delpapa robbery, Harvey Brown was dismissed as to this charge.

All Guilty on Fanis Charge

The three boys plead guilty to the charge of robbing Frank Fanis, storekeeper, at the point of a gun. Attorney Cecil S. Harris, representing Walter Brown Jr., placed several character witnesses on the stand to testify as to Brown's character, Mrs. Mary Harris, Sixth Mount Zion Baptist Church social worker, testified that she had known Walter Brown since his father (the Rev. A. W. Brown) moved to Richmond to take charge of her church. "He always suffered with his head," she said. "He is a good boy, but is easily led astray. He was dominated by a man named David Fields."

Blamed Fields For Boy's Downfall

Mrs. Harris told of several occasions when she remonstrated with Fields for associating with Rev. Brown's boy. "He seems to have had Walter under some kind of a spell", she concluded. Clark N. W. Bouldin, of the same Church testified that Walter Brown was a good boy; that he attended Sunday School, Church and B. Y. P. U. service every Sunday.

"The last year or so he seems to have slipped a little", Clerk Bouldin told the Court.

Father Testifies For Son

Dr. J. M. Newman testified that Brown was of previous good character. Dr. A. W. Brown was called, and he told the court that his boy stayed at home and except for a little matter concerning a car which he used, and for which he was under probation he was an obedient and well-behaved son. Detectives who worked up the case against the gang denied that David Fields was in any way connected with these cases. They said they had arrested David Fields and carried him to persons who had been held up, and they agreed that they had not seen him before. Sergeant Garton said he had confronted Fields with all of the boys and they steadfastly denied that Fields was in any way connected with the case.

Claim Pistol Was Fields'

Walter Brown took the stand and said that he had been running around with David Fields and that he had told him how to pull off these hold-ups.

"He was not with us when we went into the places, but we met him around the corner and I gave him 25 cents of the money we took. I used his gun—the gun he loaned me. He asked me to give him his coat back (I used to wear his clothes)—and the gun was in it. This was after the holdups. I didn't know why I held those places up. Judge your honor, I didn't hold up all those places. I don't know anything about the others. (There were seven charges against Brown.) When I'd pass a place, something would just—well, I don't know why I did it."

Attorney Harris' Plea

Attorney Harris addressed the Court, and stated that he thought that society would be amply protected if Walter Brown would be allowed to enter an industrial school and be reclaimed.

"Judge, this boy was reared in one of the finest colored homes in our city. If it were not for the bad inbuence of this Fields he would not be before you today and I suggest that you not suspend his sentence, but that he be permitted to enter some school

where he may be reclaimed for society."

Judge Ingram Adamant

"You would not have me place crooks in this city on notice that they can come into court charged with seven capital offenses and be sent to school?" Judge Ingram asked.

"I am not going to stultify myself in this case," he continued. "Just because this boy was mixed up with Kate Fields, her son and brother, I am not going to defeat the ends of justice. Just ot put Kate Fields, David Fields and her brother behind the bars I would be willing to let these boys go free; but there is no chance in the world of putting Kate in prison from the evidence in this case."

Harvey Brown Gets Minimum

Harvey Brown's only witness was his father, William Brown, of 928 Saint Paul Street. He was represented by Attorney Geo. Oliver, who plead the youth of his client and his straightforward dealing with the police in clearing up the cases. Judge Ingram gave Harvey Brown the minimum sentence for robbery—eight years in pen. Albert Hooper appeared "by his lonesome." No one spoke for him. There was no evidence of his proper rearing, and the stern judge relented a bit—he gave Hooper 12 years.

BOTH RACES ARE FINED FOR BAD CONDUCT HERE

Rarely Whites Face Such Charges On Docket

Portsmouth Bureau

A crowded police court room buzzed Monday morning as almost unheard of accusations—in this section, anyway—were hurled at nine white men who appeared to answer charges of disorderly conduct before Justice Harry Cuthriell as a result of police raids over the weekend.

The cases were novel in that accusations of gambling—very seldom have been directed at white citizens in this city. Negroes, according to court records, have in the past held a monopoly on those and similar charges.

Although the white defendants of the disorderly conduct charges "stole the show" during the police court session Monday morning, nevertheless, there were more than a dozen colored persons arraigned on like charges. Both white and colored, "brothers under the skin," were assessed fines of $2.50 and costs by Justice Cuthriell.

Sergeant Albert Lassiter and Detective L. C. Ellis, of the Portsmouth police department, testified before the electrified court that they entered a Crawford Street address and found the group of white men seated about a table apparently engaged in a card game. Several of the whites, of course, denied that they were gambling. They were likewise fined, however.

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Virginia
6

Colored Policemen Would Sound the Death Knell of the Number Racket

The apparent inability of the police department of Richmond, as presently constituted, to break up the notorious and insidious number racket opens up the question anew of the need of colored police officers to patrol the colored section of this city.

It is almost unbelievable that a game involving as many people as are employed in this lottery could be operated so brazenly and defiantly if the proper vigilance exercised by the police department.

If the names of the alleged backers of the game and the headquarters and haunts of the writers, pick-up men and aces are not known to the police, then there is something radically wrong with the sight, hearing and methods of the police department.

The reasons for this statement are conclusive and have been discussed before at length in this newspaper. The crop of colored police spotters who are, in many instances, licensed law-breakers as a reward for the information they impart, should be replaced by bona fide colored police officers who will appreciate their responsibility of compelling observance of the law. The Richmond Planet ventures the opinion that the appointment of half a dozen conscientious colored policemen would sound the death knell of the racket and the racketeers would not enjoy the immunity which is apparently theirs at present.

Colored police officers are used in a number of Southern cities with satisfactory results. What is the objection of at least experimenting with them in Richmond. Breaking up the number racket which heads up in the territory they would patrol would furnish an excellent assignment.

Police Methods and Negroes

The experience of Arthur Bryor, Negro chauffeur, with a "Ghost Car," operated by two members of the local police department is typical of police methods used almost exclusively in dealing with Negro citizens of Richmond.

It seems that the government of the sections of the city occupied by Negro residents has been entrusted entirely to police officers. They serve as lawmakers, judges and administraters of punishment and penalties so far as Negroes are conferned. Their wills are supreme, there are no appeals from their judgments and there is no redress or remedy for the arbitrary abusive and often brutal maner in which they exercise the power which they have been given over the Negro sections and the occupants of these sections.

Complaints registered by Negroes against police officer are ignored and consigned to the waste basket. Charges preferred against them receive the same treatment, and it is as difficult to get a magistrate to issue a warrant against one of these officers as it is to find the needle in a haystack.

On the other hand, what a police officer says in regard to any case in which a Negro is involved is accepted as absolute fact, and out in the street a Negro hazards abuse, insults and bodily harm to dispute a police officer on the facts in the most trivial alleged traffic violation or offense. In this connection The Planet has complained to the traffic violators, taking them to the police station and compelling them to pay a bail bond fee of $1.00, whereupon they are released upon their own recognizance. A tag would serve the same purpose and the alleged violator would not have to pay $1.00 to a magistrate for bail, no part of which goes into the treasury of the city.

Of course, this condition does not apply to every member of the force, for some are entirely fair and gentlemanly in their treatment of Negroes, and The Planet has had occasion to say as much in regard to at least two members of the force. This type of officer is an exception, however, rather than the rule.

There are the facts as ugly as they sound. What will the fair-minded and influential white citizens, newspapers and inter-racial leaders do to remedy the condition?

Juries and Justice

THERE are few offenses against the law so callous and inhuman as that committed by a hit-run driver who flees the scene of an accident and leaves the injured person or persons to die or to suffer agony until another motorist happens along. Socially minded legislators in Virginia, aware of this fact, provided heavy penalties, the punishment specified for such a felony, ranging as high as a $5,000 fine and a term of five years in prison.

The other day in Norfolk young Assistant Commonwealth's Attorney JAMES E. HEATH, Jr., outraged by the action of a jury which let off with a fine of $150 a white offender in a pretty rotten hit-run case in which the Negro victim was killed, asked the court to excuse the twelve jurors involved from further service on the panel.

The criticized jurymen flared their resentment, went into a huddle, and had a spokesman to say: "We want the court to know that we resent the criticism. . . . We heard the facts in the case and returned what we considered a fair verdict." So did the prosecuting attorney hear the facts, but he made very clear his belief that justice was not meted out.

The defendant was charged with hitting a pedestrain and running from the scene in violation of the law. He was guilty or he was not. A manslaughter charge was withdrawn when witnesses testified the victim stepped in front of the defendant's car. To the hit-run count the defendant pleaded guilty. According to a recent Supreme Court decision, "not recalled at the time," the case should then have been taken out of the jury's hands and tried by the judge. After the jury returned its verdict, defense counsel moved to have it set aside. At last reports this motion was still to be argued.

The other details of the case are not here important. What is important is the evidence of the cheapness with which life, especially Negro life, is held not only by the jury but by the defendant, who after pleading guilty asked that the relatively inconsequential fine of $150 fixed in the verdict be set aside.

Fortunately, there is one aspect of the case which can be applauded. That is the stand of Mr. HEATH as prosecuting attorney in the case. To him, one of the increasingly large group of liberal and fair-minded young Southerners, the offense was just a heinous crime, and when it was not so treated by the jury he took the only manly step open to him.

It is a sad commentary on the ways of justice that after he had done so, on the suggestion of a juror, the remaining cases were turned over to another prosecuting attorney. Little wonder that many people are seriously advocating the abolition of the jury system. It's pretty rotten at times, particularly when the parties of interest are of different racial origins.